Chapter 5
Public Participation Activities: How to Do Them

Introduction

This chapter presents a "how-to" for a broad range of activities that permititng agencies, public interest groups, and facility owners/operators can use to promote public participation. The variety of activities in this chapter should fit any situation: from the formal regulatory process that EPA follows, to community-based discussions of RCRA issues, to events held by the facility owner or operator.

Some of the activities in this chapter (for instance, public hearings) will be more appropriately led by a permitting agency; however, all stakeholders can learn more about the different kinds of activities by reviewing this chapter. Moreover, EPA would like to emphasize that this list is not exhaustive. You should consult with other stakeholders to determine if these or any other public participation activities will best suit your particular situation. Several of the appendices provide contact lists for various stakeholder groups.

As we emphasized in the preceding chapters, public participation is a dialogue. It involves both getting information out to other stakeholders and getting feedback in the form of ideas, issues, and concerns. We have divided this chapter's activities to reflect the dual role of public participation. The first group of activities involves techniques that disseminate information. The second group involves techniques that are useful for gathering and exchanging information. Note that some of these activities, such as informal meetings, are useful both for disseminating and collecting information. On the other hand, some activities, such as public notices, provide one-way communication. *EPA encourages stakeholders to combine public participation techniques so that they provide two-way communication.* For instance, if an agency issues a public notice, it should create a feedback loop by including the name and number of a contact person in the notice. Similarly, a facility or a public interest group could provide for feedback in an information repository by asking users to complete surveys or by assigning a staff person to answer questions at the repository.

The following pages contain summaries of numerous public participation activities, information on how and when to conduct them, an estimate of how much effort they require, and their advantages and limitations. Each summary includes a checklist to help in conducting the activity. Examples of public notices and fact sheets are also included.

Use this directory to locate specific activities:

L Disseminating Information

L Gathering and Exchanging Information

Public Participation Plans

Regulatory Requirements

None.

Description of Activity

A public participation plan provides a community-specific plan for interacting with a community regarding the permitting or corrective action activities taking place at a RCRA facility. The plan, typically prepared by the permitting agency, assesses the level of community interest as well as the types of concerns identified through a variety of sources (e.g., **community interviews**) and, based on this information, recommends specific activities for involving the community in the RCRA process. See the section on "Planning for Participation" in Chapter 2 and the detailed sample plan in Appendix I for more information. Chapter 3 of *Community Relations in Superfund* also provides useful guidance.

The level of detail in the plan will vary according to the probable level of public interest, the type of permitting activity, the location of the facility, and other applicable factors. The steps described in this section are not all necessary in every plan. Depending on the situation, the public participation plan may vary from a two-page schedule of activities to a comprehensive study of the population, an itinerary of permitting activities, and an analysis of community concerns.

Level of Effort

A Public Participation Plan may take several days to two weeks to complete. Revision of a plan could take a few days to a week. The range of effort depends on the priority of the site and the complexity of the activities performed at that site.

How to Conduct the Activity

A Public Participation Plan should be based on information collected during community interviews (if conducted) and information obtained from other sources, such file searches, reviews of past media coverage, and community assessments done by third parties (see the section entitled "Planning for Participation" in Chapter 2). This information is analyzed and organized into a community-specific plan. Typical sections of a public participation plan are:

- Introduction -- several paragraphs clearly explaining the purpose of the document.

- Facility History -- several paragraphs to several pages providing an overview of the facility, its technical and regulatory history, and a history of past community concerns and involvement in activities at the facility. Short cut: attach the facility fact sheet if one already exists.

- Community Concerns -- several paragraphs to several pages summarizing the concerns identified during the community interviews.

- Objectives of the Plan -- several paragraphs to several pages, depending on the objectives, providing a narrative of the major objectives of the plan. Objectives typically relate to the specific concerns outlined in the previous section.

- Public Participation Activities -- several paragraphs to several pages, depending on the plan, describing the specific activities that will be conducted to meet the objectives outlined in the previous section (e.g., meetings, fact sheets, briefings for local officials, etc.) and a schedule for conducting these activities.

- Appendices -- Appendices can be included to provide the mailing list, media contacts, and public meeting and information repository locations.

The activities in a public participation plan should be tailored to address community concerns and needs. The plan should include the kinds of activities that are discussed in this manual.

The plan should be presented in a public document that serves to demonstrate to the community that the agency (and public interest groups and the facility owner, if involved) listened to specific community concerns and developed a specific program around those concerns. EPA encourages permitting agencies to seek input from other stakeholders during development of the plan. The facility owner and public interest groups can provide information about their planned activities and the community representatives can suggest the types of activities, information channels, and logistics that will work best in the area.

Revisions of all or parts of the public participation plan for a facility may be done in order to incorporate new information, reflect changes in community concern, and adjust public participation activities to meet these changes. A revision ensures that the plan remains sensitive to citizens' concerns through the final phases of a permit determination or a corrective action. It can also evaluate which public participation activities were effective and which were not.

When to Use

Public participation plans may be prepared:

- At the beginning of the RCRA process (e.g., for facilities seeking a permit or facilities beginning corrective action) to schedule activities and assign responsibilities;

- After community interviews (if conducted).

Public participation plans should be revised:

- When a significant change in community concerns or activities at the facility occurs (e.g., after a remedy is selected or the facility proposes a significant permit modification); and

- At least every two years for longer-term projects.

Accompanying Activities

Although they are not necessary in every case, **community interviews** can be very helpful when writing a plan. The plan typically includes the **mailing list** and provides the locations of the **information repositories** and **public hearings**.

Advantages and Limitations

Public participation plans establish a record of community concerns and needs and a set of activities to meet those needs. Because the plans are community-specific, they ensure that the community gets the information they need in a fashion that is most useful and they assist the project staff in making the most efficient use of their time when interacting with the public.

The plan represents the agency's commitment to dedicate significant resources to the activities specified; thus, agency staff should make certain that resources are available to implement all activities identified in the plan. The plan should not schedule activities that the agency will not be able to conduct.

Community concerns can change significantly and may require that the public participation plan be revised periodically. The plans should be seen as "evolving" documents. The agency may need to revise the plan often, conducting new community interviews each time. At the least, the agency should be prepared to revise activities or expand activities as the project proceeds.

Revising the plan will help to ensure that the agency continues to respond to citizens' concerns during long-term projects. Minor changes also can help a public participation planner; for example, the contacts list can incorporate changes in addresses, new telephone numbers, and the names of new officials.

Checklist for Public Participation Plans

As applicable:

- _ Review facility background file and other information sources
- _ Review comments gathered during the community interviews
- _ Coordinate with other key stakeholders to discuss the plan
- _ Write draft plan
  - _ Introduction -- explains the purpose of the document
  - _ Project History -- provides an overview of the project, its technical and regulatory history, and a history of past community concerns and involvement in the project (if available)
  - _ Community Concerns -- summary of the concerns identified during the community interviews
  - _ Objectives of the Plan -- explains the major objectives relating to specific concerns outlined in the previous section of the document
  - _ Public Participation Activities -- describes the specific activities to be conducted to meet the objectives of the plan and schedule
  - _ Appendices -- provide information on key contacts, media, public meeting and information repository locations.
- _ Coordinate internal review of plan
- _ Solicit community input on the plan
- _ Prepare final plan based on comments
- _ Distribute plan to information repositories if they exist, or make the plan available to the public in a convenient place

Public Notices

Regulatory Requirements

The permitting agency must give official public notice when issuing the draft permit (§ 124.10(c)), holding a public hearing under § 124.12, or when an appeal is granted under § 124.19. This notice must be sent by the agency to all relevant units of federal and local government, the applicant, and all parties on the facility mailing list. In addition, the notice must be broadcast over local radio stations and published in a daily or weekly major local newspaper of general circulation.

A prospective permit applicant must issue a similar, but broader, public notice to announce the pre-application meeting (§ 124.31). This notice must be published as a display advertisement in a paper of general circulation and must be sent to the permitting agency and appropriate units of local government. The applicant must also post the notice as a sign at or near the facility, and as a broadcast media announcement. The notice must include the name, address, and telephone number of a contact person for the applicant.

The facility owner/operator must provide public notice for permit modfications (including modifications to incorporate corrective action provisions) under § 270.42. For a class 1 modification, the facility must notify the facility mailing list. For a class 2 modification, the facility must notify the mailing list and publish a newspaper notice when requesting the modification. The permitting agency must notify the mailing list within 10 days of granting or denying a modification request. For a class 3 modification, the facility must publish a newspaper notice and notify the mailing list when requesting a modfication. The permitting agency must follow the procedures for modifications in part 124 when granting or denying the class 3 permit modification. The permitting agency will also notify people on the mailing list and State and local government within 10 days of any decision to grant or deny a Class 2 or 3 modification request. The Director also must notify such people within 10 days of an automatic Class 2 modification goes into effect under § 270.42(b)(6)(iii) or (v).

If the permitting agency initiates the permit modification, under § 270.41, then the agency must follow the notice requirements for a draft permit in § 124.10(c) (see above in this section). Agency-initiated modifications may include modifications during the corrective action process.

If the permitting agency requires a facility to establish an information repository under § 124.33 or § 270.30(m), the agency Director will specify notice requirements. At the least, the facility will provide written notice to the people on the mailing list.

Permitting agencies must also provide provide public notice during the trial burn stage at permitted and interim status combustion facilities (§ 270.62(b) and (d); 270.66(d)(3) and (g)) and when an interim status facility undergoes closure or post-closure (see §§ 265.112(d)(4) and 265.118(f)).

Description of Activity

Public notices provide an official announcement of proposed agency decisions or facility activities. Notices often provide the public with the opportunity to comment on a proposed action.

Most RCRA notices contain essentially the same types of information. Where they differ is in how they are distributed by the agency or the facility. Some go to members of the mailing list, some as legal advertisements in the newspaper, and some others as signs or radio advertisements. In all cases, EPA encourages facilities and permitting agencies to make a good faith effort to reach all segments of the affected community with these notices. As we mention earlier in this manual, any organization that wants to provide public notice has a number of inexpensive and simple options available to it, including: free circulars; existing newsletters or organzation bulletins; flyers; bulletin boards; or storefront signs.

There are many effective ways to spread information. However, the job of anyone giving notice is to find out what information pathways will be most effective in a particular community. Public interest groups, the facility, and the permitting agency should seek community input on this topic. The citizens of that community are the most qualified people to explain what methods will work best in their community. **Community interviews** are one way to learn more about how the citizens communicate.

The following are the most common ways to give public notice:

- Newspaper Advertisements. Traditionally, public notices have often appeared as legal advertisements in the classified section of a newspaper. While this method provides a standard location for the ads, display advertisements (located along with other commercial advertisements) are more likely to reach a larger audience. Display advertisements offer an advantage over legal classified ads since they are larger, easier to read, and are more likely to be seen by the casual reader. A sample is available in Appendix H of this manual.
- Newspaper Inserts. Inserts stand out from other newspaper advertisements since they come as a “loose” section of the newspaper (a format often used for glossy advertisements or other solicitations). They provide a way to reach beyond the most-involved citizens to inform a broader segment of the community.
- Free Publications and Existing Newsletters. Placing a notice in a newsletter distributed by a local government, a civic or community organization, or in a free publication (e.g., a paper that highlights local or community activities) is a generally inexpensive way to target a specific audience or segment of the community. Some publications may not be appropriate for communicating information from your

organization. By publishing information through a group that has a specific political interest or bias, your organization may be perceived as endorsing these views. Permitting agencies may want to avoid associations with groups that appear to represent the agency's interests. In any case, the relationship between your organization and the newsletter or publication should be clear to the public.

You may want to consider some of the following options. Local governments sometimes send newsletters or bulletins to their entire population; such newsletters can reach an entire affected community. Planning commissions, zoning boards, or utilities often distribute regular newsletters; they may be willing to include information about permitting activities. Newsletters distributed by civic, trade, agricultural, religious, or community organizations can also disseminate information to interested readers at low cost. Some segments of the affected community may rely on a free local flyer, magazine, independent or commercial newspaper to share information.

- Public Service Announcements. Radio and television stations often broadcast, without charge, a certain number of announcements on behalf of charities, government agencies, and community groups. In particular, they are likely to run announcements of public meetings, events, or other opportunities for the public to participate. One drawback with a public service announcement is that you have no guarantee that it will go on the air. If it does go on the air, it may come at odd hours when relatively few people are listening.
- Broadcast Announcements and Advertisements. A number of RCRA notices must be broadcast over radio or another medium. Beyond these requirements (which are further explained below and in the section on “Notice of the Pre-Application Meeting” in Chapter 3), you may consider providing notice via a paid TV advertisement or over a local cable TV station. Paid advertisements can be expensive and may be seen by the public as taking a side. You can avoid this drawback by limiting information to the facts (e.g., time, date, location of the meeting). Some local access cable TV stations run a text-based community bulletin board, which may provide a useful way to distribute information.
- Signs and Bulletin Boards. The notice requirements for the pre-application meeting (§ 124.31) require posting of a visible and accessible sign. Signs can be a useful means of public notice, especially for residents and neighbors of the facility or planned facility. A sign on the site should be large enough so that passers-by, whether by foot or by vehicle, can read it. If few people are likely to pass by the site, consider posting the sign at the nearest major intersection. Another option is to place posters or bulletins on community bulletin boards (in community centers, town halls, grocery stores, on heavily-travelled streets) where people are likely to see them. The signs should contain the same information as a written or broadcast notice.

- Telephone Networks or Phone Trees. This method provides an inexpensive, yet personal, manner of spreading information. The lead agency, facility, or organization calls the first list of people, who, in turn, are responsible for calling an additional number of interested people. Phone trees are a good way to provide back up plans or reminders while reducing the number of calls made by individual staff members. As an alternative to calling the first tier, the lead agency, facility, or organization may want to distribute a short written notice.

Level of Effort

Preparing a public notice and arranging for its publication takes a day or two, depending on the need for review. Producing a television or radio ad, or building a sign will take longer, depending on the situation.

How to Conduct the Activity

To prepare a public notice:

1. **Identify the major media contacts.** While there may be many daily newspapers serving a particular area, use only one or two for the public notice. In general, use the newspaper with the widest circulation and greatest visibility in order to reach the most people and elicit the greatest response. In some cases, you may want to choose specific newspapers to reach target audiences; find out what papers the affected community reads and place your notices there. Use a similar strategy for notices in the broadcast media. If you are giving notice via more than one media, you have more flexibility for reaching specific audiences. See the section on "Notice of the Pre-Application Meeting" in Chapter 3 for more information.

2. **Take into account publication schedules.** Many local or community newspapers are published on a weekly or bi-weekly basis. This may make it difficult to coordinate the publication of the notice with the event. In such a case, consider using a city-wide newspaper that is published more frequently. If the city-wide paper is not likely to reach all segments of the affected community, you should make efforts to supplement the newspaper notice with other means of notice (e.g., signs or broadcast media).

3. **Include the following information in the public notice:**

   - Name and address of the facility owner/operator;
   - A brief description of the business conducted at the facility and the activity that is the subject of the notice;
   - Name, address and telephone number of an individual who can be contacted for further information on the activity;
   - A brief description of the comment procedures and the date, time, and place of any hearing;

- If the permit is issued by EPA, the location of the administrative record and the times when it is open for public inspection; and
- Any additional information considered appropriate.

Also, try to format the notice so that it is eye-catching. A logo can help.

4. **Announce dates, times, and locations clearly in the public notice.** When announcing an event such as a hearing, make sure that the date and time do not conflict with other public meetings, religious or non-religious holidays, or other important community events.

5. **Provide ample notice.** For RCRA permits, the public notice must allow at least 45 days for public comment. Public notice of a public hearing must be given at least 30 days prior to the hearing. Be sure to state the opening and closing dates for comment periods.

6. **If possible, review a typeset version of the notice before it is published to ensure accuracy.**

7. **Keep proof of the notice for your files.** Newspapers often can provide "tear sheets" as a record of the notice. Similar proofs are available from radio or television stations. You should consider keeping photgraphs of posted signs.

When to Use

The "Regulatory Requirements" section above reviews the mandatory public notices. In addition, agency personnel can use informal public notices to announce other major milestones or events in the permit review or corrective action process. Permitting agencies may also want to use public notices when they are establishing mailing lists. The facility must issue notices when it requests a permit modification, holds a pre-application meeting, or establishes an information repository.

Public notices can be useful for any organization involved in the RCRA permitting process. Whenever a public interest organization is planning an activity, or would like to supplement notices given by the facility or the agency, you may want to consider using one of the public notice methods in this manual. Notices can also help build your mailing lists.

Accompanying Activities

Public notices are used to announce **public comment periods** and **public hearings**. They can also be used to announce other meetings and milestones, opportunities to join the **mailing list**, as well as the availability of an **information repository**, **fact sheets**, or other permitting information.

Advantages and Limitations

Public notices are an efficient, simple means of alerting the public to important events. However, public notices should never substitute for other activities that involve direct communication with the public.

Public notices can be more effective, and provide more of a feedback loop, when they are combined with a means of gathering information from the public. Every notice should contain a **contact person** so that the public can direct comments or questions to the agency, the facility, or other stakeholder groups.

See "Description of Activity" above in this section for advantages and limitations of specific notice methods.

Checklist for Public Notices

_ Compile information to be included in the public notice:

  - _ Name of agency overseeing the permit or corrective action
  - _ Name, address, and phone number of contact person
  - _ Facility owner/operator and description of facility activities
  - _ Purpose of public notice
  - _ If applicable provide the date, time, and location of public hearing (or meeting)
  - _ Description of the procedures governing the public's participation in the process

_ Draft the public notice, announcement, or advertisement

_ Coordinate review of the draft public notice

_ Prepare final public notice

_ Receive final approval of public notice

_ Coordinate placement of the public notice in the local newspaper(s), coordinate distribution of the public notice to the facility mailing list, submission to radio/television stations or other publications (as applicable)

For publication in local newspaper(s):

Name of Newspaper	Publication Days	Advertising Deadline

_ Prepare procurement request or advertising voucher for public notice publication

_ Obtain price quotes (i.e., cost per column inch)

_ Determine size of public notice ___________________________________

_ Determine deadlines for publication of the public notice

_ Submit for publication

_ Request proof of publication; file proof in facility file

Checklist for Public Notices (continued)

For distribution to the mailing list:

_ Verify that facility mailing list is up-to-date

_ Produce mailing labels

_ Distribute to the mailing list

For broadcast on local radio/television stations:

___ Verify media list

___ Prepare procurement request or advertising voucher for public notice spots

___ Obtain price quotes

___ Distribute to stations

___ Request proof of airing and file in facility file

Translations

Regulatory Requirements

None. EPA strongly recommends using multilingual fact sheets, notices, and other information (as appropriate) to provide equal access to information in the permitting process.

Description of Activity

Translations provide written or oral information in a foreign language to a community with a significant number of residents who do not speak English as a first language. There are two types of translations:

- A written translation of materials originally written in English;
- A simultaneous verbal translation (i.e., word by word) of a public meeting or news conference, usually with small headsets and a radio transmitter.

Translations ensure that **all** community members are informed about activities at a facility and have the opportunity to participate in the decision-making process.

Level of Effort

The amount of time needed to translate a document depends on the length of the document and the complexity of the information in the document. You should allow at least several days for translation.

How to Conduct the Activity

To develop a successful translation:

1. **Evaluate the need** for a translation. Evaluate the demographic characteristics of the community as well as the type of public participation activities being planned. Consider whether citizens' ability to take part in an activity is limited by their inability to speak or understand English.

2. **Identify and evaluate translation services**. A successful translation depends on the skill of the translator. More problems may be created than solved if inaccurate or imprecise information is given. Many translators will not be familiar with the technical terms associated with hazardous materials and few, if any, will be familiar with the RCRA permitting and corrective action processes. This problem may be further compounded in the case of oral translations (especially simultaneous translations) as there is no time for review or quality control. Thus, it is necessary to contract someone with experience in translating technical information and check the translator's work to ensure that the content and tone are in keeping with the intent. You also need to ensure that the translator uses the same dialect as those in your intended audience.

3. **Avoid the use of jargon or highly technical terms**. As a matter of standard practice, a staff member should go over in advance all technical and RCRA terms that may cause problems with the translator.

4. **For verbal presentations, public meetings, and news conferences, plan what to say ahead of time**. If the translator has a prepared written speech to work with in advance, there is more time to work out any vocabulary "bugs" and thereby reduce the chances of faltering over unfamiliar material or making inaccurate word choices. If possible, practice with the translator before the actual meeting or presentation date.

5. **Anticipate questions from the audience and reporters**, and have at least the technical aspects (e.g., chemical names, statistics) of the answers translated in advance.

When to Use

A translation can be used:

- When a signficant portion of the community does not speak English as a first language. A written translation should be provided for fact sheets or letters, unless a presentation or public meeting would be more appropriate (e.g., the literacy rate among the foreign-speaking community is low).
- Verbal translations are recommended where there is considerable concern over the facility, extreme hostility, or suspicion of the agency's efforts to communicate with community members.

Accompanying Activities

The need for translations is often determined during the community assessment and **community interviews**. Translations are generally used for **fact sheets**, **public notices**, **presentations**, **public meetings**, **public hearings**, and **news conferences**.

Advantages and Limitations

Written translations and use of translators ensure that a greater number of community members can participate effectively in the process and, therefore, provide input to decisions concerning the RCRA-regulated process. This effort assures the community of your organization’s sincerity in providing opportunity for public participation.

Translations are very costly, especially simultaneous translations of public meetings. Sentence-by-sentence oral translations frequently double the length of public meetings, and may make information more difficult to present effectively and smoothly. In addition, very few translators are familiar with the RCRA permitting and corrective action processes. For facilities having highly volatile or sensitive problems, it may be difficult to communicate your organization’s position and involve community members in a constructive dialogue.

Checklist for Translations

_ Determine need for translations

_ Identify translation service or identify staff to provide translating services

_ Fact sheet translations

  _ Provide English text (including text for graphics, headlines, fact sheet flag)

_ Meeting translations

  _ Determine if translation will be simultaneous or if translations will occur following statements.

  _ If simultaneous, provide audio equipment for translator/participants

  _ Prepare list of technical and RCRA terms that will need to be translated

  _ Prepare, in advance with the translator, presentations, responses to questions

Mailing Lists

Regulatory Requirements

The permitting agency must establish and maintain the facility mailing list in accordance with § 124.10(c)(1)(ix). The agency must develop the list by: (a) including people who request in writing to be on the list; (b) soliciting persons for "area lists" from participants in past permit proceedings in that area; and (c) notifying the public of the opportunity to be put on the mailing list through periodic publication in the public press and in such publications as Regional- and State-funded newsletters, environmental bulletins, or State law journals.

Description of Activity

Mailing lists are both important databases and essential communication tools. Mailing lists ensure that concerned community members receive relevant information. They allow messages to reach broad or targeted audiences. The better the mailing list, the better the public outreach and delivery of information. Mailing lists typically include concerned residents, elected officials, appropriate federal, state, and local government contacts, local media, organized environmental groups, civic, religious and community organizations, facility employees, and local businesses.

It is recommended that you develop an internal distribution list at the same time you prepare your external mailing list. The distribution list for permitting agencies should include all technical project staff, public involvement staff, legal staff, and staff from other affected programs (Air, Water, etc.), as appropriate. This list will help ensure that all relevant project staff receive the same information about all phases of the project. Facilities and community organizations should follow similar procedures to keep their staffs and members informed.

Level of Effort

A mailing list can be developed in conjunction with other public participation activities. Depending on the size of the list, inputting information into a data base can take several days. Updating will require approximately half a day per quarter.

How to Conduct the Activity

To develop and update a mailing list, consider the following:

1. **Solicit names, addresses, and phone numbers of individuals** to be included on the list. This should include individuals who put their names and addresses on the sign-in sheet at the pre-application meeting, if applicable. Telephone numbers are useful to have so that you can contact these individuals for community interviews and to aid you when you update your list.

   Individuals to include in your mailing list:

- The people interviewed during community interviews, as well as other names these people recommend;
- All nearby residents and owners of land adjacent to the facility;
- Representatives of organizations with a potential interest in an agency program or action (e.g., outdoor recreation organizations, commerce and business groups, professional/trade associations, environmental and community organizations, environmental justice networks, health organizations, religious groups, civic and educational organizations, state organizations, universities, local development and planning boards, emergency planning committees and response personnel, facility employees);
- Any individual who attends a public meeting, workshop, or informal meeting related to the facility, or who contacts the agency regarding the facility;
- Media representatives;
- City and county officials;
- State and Federal agencies with jurisdiction over wildlife resources;
- Key agency officials; and
- The facility owner/operator.

2. **Review background files** to ensure all interested individuals are included on the mailing list.

3. **Input information into a computer system** so that it can be categorized and sorted and printed on mailing labels.

4. **Send a letter or fact sheet to the preliminary mailing list developed using 1) and 2) above.** Inform key Federal, State, and local officials, citizens, and other potentially interested parties of your activities and the status of upcoming permit applications or corrective actions. Ask whether they wish to receive information about this facility. Ask them for accurate addresses and phone numbers of other people who might be interested in the project.

5. **Update your mailing list** at least annually to ensure its correctness. Mailing lists can be updated by telephoning each individual on the list, and by using local telephone and city directories as references. The permitting agency can update the official mailing list from time to time by requesting written indication of continued interest from those listed. The agency can then delete any people who do not

respond (see § 124.10(c)(1)(ix)(C)).

See the section on "The Facility Mailing List" in Chapter 3 for more information.

When to Use

A mailing list is a required public participation activity for permitting. Additional people may want to join the list if corrective action will take place at a facility. Public interest groups or other involved organizations often have mailing lists.

- Develop a mailing list as soon as possible during the permit application phase, or as soon as the need for a RCRA Facility Investigation is identified.
- Update the mailing list regularly.

Develop a distribution at the same time you develop a mailing list.

Accompanying Activities

Mailing lists are useful in identifying individuals to contact for community interviews. They are also needed to distribute **fact sheets** and other materials on the facility. **Public notices** and sign-up sheets at **public meetings** or **information repositories** can help you build mailing lists.

Advantages and Limitations

Mailing lists provide the names of individuals and groups interested in activities at RCRA facilities. However, lists can be expensive and time-consuming to develop, and they require constant maintenance.

Checklist for Mailing Lists

Mailing List Development:

__ Verify the list format (i.e., name, title, company, address, phone number)

__ Consider issuing a public notice to solicit names for the mailing list

__ Identify people to be included on the list:

- __ People who signed the attendance sheet at the pre-application meeting (if applicable)
- __ City elected officials (mayor and council)
- __ City staff and appointees (city manager, planning director, committees)
- __ County elected officials (supervisors)
- __ County staff and appointees (administrator, planning director, health director, committees)
- __ State elected officials (senators, representatives, governor)
- __ State officials (health and environment officials)
- __ Federal elected officials (U.S. Senators, U.S. Representatives)
- __ Federal agency officials (EPA)
- __ Residents living adjacent to facility
- __ Other interested residents
- __ Media
- __ Business groups of associations
- __ Businesses possibly affected by the facility (i.e., located down-wind of facility)
- __ The facility owner/operator
- __ Consultants working on the project or related projects
- __ Local environmental groups
- __ Other civic, religious, community, and educational groups (e.g., League of Women Voters, government associations, churches, homeowners and renters associations)
- __ State and Federal Fish and Wildlife Agencies

Checklist for Mailing Lists (continued)

__ Have list typed

__ Prepare mailing list

__ Store on computer data base

Mailing List Updates:

__ Verify names/addresses by searching telephone directory

__ Verify names/addresses by searching city directory

__ Verify names/addresses by calling each individual

__ Consider issuing a notice asking for written indication of continued interest (§ 124.10(c)(1)(ix)(C))

Notices of Decision

Regulatory Requirements

RCRA requires the permitting agency to issue a notice of decision to accompany the final permit decision (under § 124.15 procedures). The agency must send the notice to the permit applicant and to any person who submitted written comments or requested notice of the final permit decision (§ 124.15). Note that Class 3 modifications and the corrective action final remedy selection also follow § 124.15 procedures and require a Notice of Decision.

Description of Activity

A notice of decision presents the agency's decision regarding permit issuance or denial or modification of the permit to incorporate changes such as the corrective action remedy.

Level of Effort

A notice of decision may take several days to write and review, depending on the complexity. Allow time for several rounds of revisions. If you need to develop graphics, such as site maps, allow time to produce the graphics.

How to Conduct the Activity

The notice should briefly specify the agency's final decision and the basis for that decision. The notice must also refer to the procedures for appealing a decision. Notices of decision must be sent to the facility owner/operator (permit applicant) and each person who submitted written comments or requested notice of the final permit decision. You may want to send the notice to other interested parties as well. Final permits generally become effective 30 days after the notice of decision.

When to Use

- When a permit decision has been finalized following the 45-day public comment period;
- When the permitting agency makes its final decision regarding a permit modification.

Accompanying Activities

A **response to comments** document must be issued at the same time the final permit decision is issued.

Advantages and Limitations

The notice of decision provides a clear, concise public record of the decision. However, the notice of decision should not be a substitute for other activities that involve direct two-way communication with the public.

Checklist for Notices of Decision

- _ Determine contents of the notice of decision
  - _ Decision made and basis for that decision
  - ___ Information on appeal procedures
- _ Coordinate writing the notice with technical and legal staff
  - _ Technically accurate
  - _ Satisfies statutory requirements
  - _ Provides the public with all necessary information in a clear and concise manner
- _ Coordinate internal review of notice of decision
- _ Prepare final notice of decision based on internal review comments
- ___ Notify the facility owner/operator and anyone who submitted written comments or requested notice of the final decision
- _ Notify other interested parties of the decision
- _ Place copy of the notice of decision in the administrative record and the information repository (if one exists)

Introductory Notices

Regulatory Requirements

While EPA regulations do not specifically require an introductory notice, § 124.32 provides for an agency notice at the time of application submittal. Permitting agencies may want to consider the guidance in this section (in addition to the § 124.32 requirements) when preparing the notice at application submittal. Chapter 3 provides guidance specifically for the notice at application submittal.

Description of Activity

An introductory notice explains the agency's permit application review process or the corrective action process and the opportunities for public participation in that process.

Level of Effort

The amount of time needed to prepare an introductory notice is based on whether the notice is prepared as a public notice or a fact sheet. If prepared as a public notice, allow a day or two for writing, review, and placement in newspapers and other media. If prepared as a fact sheet, allow several days to a week to write and review, depending on the layout and graphics used, and several days for printing.

How to Conduct the Activity

To prepare an introductory notice:

1. **Determine the best method to explain the permit application review or corrective action process.** An introductory notice can be presented as a public notice, a fact sheet, or a flier distributed to the facility mailing list.

2. **Prepare and distribute the notice.** Coordinate the writing and distribution of the notice with technical project staff. Take care to write the notice avoiding technical terms and jargon.

3. **Include an information contact.** Provide the name, address, and phone number of a contact person who the public can call if they have questions or need additional information about the facility. You might add a return slip to the notice for people to complete and return to your organization if they would like additional information or to be placed on a mailing list.

When to Use

An Introductory Notice can be used:

- When you find the community knows little or nothing about the RCRA process; and

- When you need to notify the public of how they can become involved in the RCRA process.

Accompanying Activities

Informal meetings, **availability sessions/open houses**, or **workshops** may be conducted following release of the notice.

Advantages and Disadvantages

An introductory notice informs the public about the agency's permit application review process and how they can be involved in the process. However, the notice is a one-way communication tool. A **contact person** should be identified in the notice so that interested members of the community can call this person if they have questions.

Checklist for Introductory Notices

- _ Determine how you will distribute the notice.
  - _ Public notice in newspaper
  - _ Fact sheet or flier sent to the mailing list
- _ Prepare draft introductory notice
- _ Include name and phone number of a contact person
- _ Coordinate internal review of introductory notice
- _ Write final introductory notice based on comments received during the internal review
- _ Verify facility mailing list is up-to-date
- _ Request mailing labels
- _ Distribute introductory notice

Fact Sheets/ Statements of Basis

Regulatory Requirements

EPA's regulations require the agency to develop a fact sheet or a statement of basis to accompany the draft permit. The agency will develop a fact sheet for any major hazardous waste management facility or facility that raises significant public interest (§ 124.8). The agency must prepare a statement of basis for every draft permit for which a fact sheet is not prepared (§ 124.7). Note that these requirements also apply to Class 3 modifications and agency-initiated modifications (such as the agency may use at remedy selection), which must follow the part 124 procedures. Specific requirements for these activities are described below under "How to Conduct the Activity."

Description of Activity

RCRA-required fact sheets and statements of basis summarize the current status of a permit application or corrective action. This required fact sheet (or statement of basis) is probably different than the commonly-used informational fact sheets that most people recognize. The required fact sheet must explain the principal facts and the significant factual, legal, methodological and policy questions considered in preparing the draft permit. They can vary in length and complexity from simple two-page documents to 12-page documents complete with graphic illustrations and glossaries.

The agency and other stakeholder groups may find it useful to develop other fact sheets to be used in public participation activities. These informal/informational fact sheets can explain difficult aspects of the permitting process or provide technical information in language that an ordinary person can understand. These fact sheets may come in many different varieties and levels of detail.

Fact sheets are useful for informing all interested parties about the basis for the permitting agency's decision regarding a facility permit or proposed corrective action activities. They ensure that information is distributed in a consistent fashion and that citizens understand the issues associated with RCRA programs.

Statements of basis are generally shorter than fact sheets and summarize the basis for the Agency's decision. Statements of basis are often used in the corrective action program to summarize the information contained in the RFI/CMS reports and the administrative record. They are designed to facilitate public participation in the remedy selection process by:

- Identifying the proposed remedy for a corrective action at a facility and explaining the reasons for the proposal.

- Describing other remedies that were considered in detail in the RFI and CMS reports.

- Soliciting public review and comment on all possible remedies considered in the RFI and CMS reports, and on any other plausible remedies.

- Providing information on how the public can be involved in the remedy selection process.

In emphasizing that the proposed remedy is only an initial recommendation, the statement of basis should clearly state that changes to the proposed remedy, or a change from the proposed remedy to another alternative, may be made if public comments or additional data indicate that such a change would result in a more appropriate solution. The final decision regarding the selected remedy(ies) should be documented in the final permit modification (if applicable) with the accompanying response to comments after the permitting agency has taken into consideration all comments from the public.

Level of Effort

Fact sheets and statements of basis may take from two days to two weeks to write, depending on their length and complexity. Allow time for several rounds of revisions. Allow three days for printing. (Short Cut: Use already developed RCRA templates with graphics that are on file at your agency).

How to Conduct the Activity

The first step in preparing a fact sheet is to determine the information to be presented. EPA decisionmaking regulations require that RCRA permit fact sheets contain the following types of information:

- A brief description of the type of facility or activity which is the subject of the draft permit;

- The type and quantity of wastes covered by the permit;

- A brief summary of the basis for the draft permit conditions and the reasons why any variances or alternatives to the proposed standards do or do not appear justified;

- A description of the procedures for reaching a final decision, including the beginning and ending dates of the public comment period and the address where comments can be sent, and procedures for requesting a public hearing; and

- Name and telephone number of a person to contact for additional information.

A statement of basis is prepared the same way as a fact sheet. The statement of basis summarizes essential information from the RFI and

CMS reports and the administrative record. The RFI and CMS reports should be referenced in the statement of basis. The statement of basis should:

- Briefly summarize the environmental conditions at the facility as determined during the RFI.
- Identify the proposed remedy.
- Describe the remedial alternatives evaluated in sufficient detail to provide a reasonable explanation of each remedy.
- Provide a brief analysis that supports the proposed remedy, discussed in terms of the evaluation criteria.

Select a simple format for presenting the information. Avoid using bureaucratic jargon, acronyms, or technical language in the text, and be concise.

Use formatting techniques to make the fact sheet or statement of basis more interesting and easy-to-read. People are less likely to read a fact sheet or statement of basis consisting of a solid sheet of typed text than one with clear, informative illustrations. Moreover, a well-designed document suggests that the permitting agency takes its public participation program seriously.

Coordinate the production of these documents with technical project staff. Technical staff should review them to ensure that the information conveyed is accurate and complete. Outreach staff should review them to ensure that the communication goals are being met.

Arrange for printing and distribute copies of the fact sheet or statements of basis to the mailing list, place extra copies at the information repository, and distribute additional copies at public meetings and hearings.

When to Use

While fact sheets/statements of basis are required for draft permits, they can also be helpful at other times in the permitting and corrective action processes:

- During technical review of the permit application;
- At the beginning of a RCRA facility investigation;
- When findings of the RCRA facility investigation are available;
- When the corrective action is completed; and
- When the Notice of Decision is released.

In addition, fact sheets can be written to explain a facility inspection or emergency action, a new technology, or a community-based activity.

Fact sheets and statements of basis can be particularly useful in providing background information prior to a public meeting or public hearing.

Accompanying Activities

Fact sheets and statements of basis are generally used in conjunction with the **mailing list**, **public notices**, **public comment periods**, and **public meetings** and **hearings**. However, as stated above, they can be helpful at almost any stage in the permitting or corrective action processes.

Advantages and Limitations

Fact sheets and statements of basis are effective in summarizing facts and issues involved in permitting and corrective action processes. They communicate a consistent message to the public and the media. Produced throughout the permitting or corrective actions processes, they serve to inform the public about the regulatory process as well as the technical RCRA issues and can aid in creating a general community understanding of the project. They are relatively inexpensive and can be distributed easily and directly to the mailing list. In addition, fact sheets and statements of basis can be tailored to meet specific information needs identified during community assessments.

However, a poorly written fact sheet or statement of basis can be misleading or confusing. Documents of this type that are not written in an objective style can be perceived as being too "persuasive" and considered "propaganda" by mistrusting communities. Remember that fact sheets and statements of basis are a one-way communication tool, and therefore should always provide the name and telephone number of a contact person to encourage comments and questions.

Checklist for Fact Sheets/Statements of Basis

- _ Determine purpose and focus of fact sheet or statement of basis
- _ Develop outline
  - _ Organize contents in a logical manner
  - _ Determine appropriate graphics
- _ Verify mailing list is up-to-date
- _ Request mailing labels
- _ Coordinate preparation of fact sheet or statement of basis with technical staff as appropriate
  - _ Draft text
  - _ Draft graphics
  - _ Draft layout
  - _ Place mailing coupon on reverse side of mailing label
- _ Coordinate internal review of fact sheet or statement of basis
- _ Incorporate revisions into final fact sheet or statement of basis
- _ Proofread final fact sheet or statement of basis
- _ Arrange printing of fact sheet or statement of basis
  - _ Select paper weight, ink color, and color paper
- _ Print fact sheet or statement of basis
- _ Distribute fact sheet or statement of basis to the mailing list and place additional copies in the repository

Project Newsletters and Reports

Regulatory Requirements

None.

Description of Activity

Project newsletters and reports are means of direct communication that keep interested people informed about corrective action and permitting activities. Both publications provide a level of project detail that is not usually available from the news media. A project newsletter uses a reader-friendly, news-based format to provide regular updates on activities in the permitting process and actions taking place at the facility. Project reports may include official technical reports or other environmental documents and studies related to a particular facility. Sending these reports directly to key stakeholders can spread information more effectively than simply placing the documents in an information repository.

Level of Effort

Newsletters can require significant amounts of staff time and resources to write, copy, and distribute. Direct transmission of reports will require less staff time, but may cost more to copy and distribute.

How to Conduct the Activity

To provide a project newsletter or project reports:

1. **Assign a staff person to produce the newsletter.** Instruct project staff to direct relevant information and reports to this person.

2. **Decide on a format and style for the newsletter.** Evaluate the resources you have available for the newsletter and decide what type of newsletter you will produce. Keep in mind that a visually-attractive newsletter with plenty of graphics and simple language is more likely to be read. Avoid bureaucratic or technical jargon. The newsletter should contain real news that is useful to people. Since people who are not familiar with the project may pick up the newsletter, write it so that first-time readers can understand it.

3. **Provide for review.** Permitting agencies, in particular, will want to ensure the credibility of their newsletters by making sure that they are objective. In such cases, you may consider asking a **citizen advisory group**, a consultant, or a non-partisan civic group (e.g., the League of Women Voters), to review the document. If the public has concerns over the credibility of your organization, it may be beneficial for the citizens advisory group or a neutral body to produce the newsletter. An objective newsletter should candidly report all developments at the facility.

4. **Summarize detailed reports.** If you are distributing a technical report, you should consider including a summary. Another option is to include findings in the project newsletter and allow people to send in a clip-out request form or contact your staff for copies of the full report.

5. **Check your mailing list.** Make sure that your mailing list is up to date and includes all interested stakeholders and media contacts (see the section on **Mailing Lists** above).

6. **Update your mailing list.** Project newsletters may continue for a number of years. You should consider updating your mailing list by including an "address-currency" card in the newsletter on a regular basis (e.g., once a year). By sending in this card, people will continue to receive the newsletter.

When to Use

Project newsletters and reports can provide detailed information about a facility that is not usually available in the media. These methods may be most useful when:

- there is a high level of public interest in a facility;
- when many citizens do not have access to an information repository, or a repository has not been established;
- you would like to maintain project visibility during extended technical studies; or
- presenting the results of detailed studies through a newsletter will better inform the public.

Accompanying Activities

A **mailing list** is essential for distribution of reports and newsletters. You should consider **availability sessions**, **open houses**, or **informal meetings** to explain the results of detailed reports and studies. Always include a **contact person** in the newsletter or report.

Advantages and Limitations

Newsletters and project reports are useful ways to disseminate important information to stakeholders. Making reports widely available can enhance their credibility.

Newsletters may require significant amounts of staff time and resources. Direct distribution of technical reports may create confusion if they are not accompanied by a summary.

Checklist for Project Newsletters and Reports

_ Assign a staff person to be in charge of producing the newsletter or reports

_ Direct the project staff (e.g., through a memo) to forward all relevant project information to the newsletter director

_ Decide on format, style, and frequency of distribution

_ Draft the newsletter

_ Review the newsletter for content, style, simple language, and visual appeal

_ (If applicable) Send the newsletter to an assigned neutral party for review

_ If you produce detailed project studies or reports, write a summary in simple language and attach to the report or include the summary in the newsletter

_ Distribute the newsletter to the mailing list

_ Update the mailing list on a regular basis

Response to Comments

Regulatory Requirements

According to § 124.17, the permitting agency must prepare a response to comments at the time that it issues a final permit decision. The agency will also issue a response to comments when making final decisions on requested Class 2 and 3 permit modifications under § 270.42 and agency-initiated modifications under § 270.41.

Description of Activity

A response to comments identifies all provisions of the draft permit or modification that were changed and the reasons for those changes. It also briefly describes and responds to all significant comments on the draft permit that were received during the public comment period.

The response to comments should be written in a clear and understandable style so that it is easy for the community to understand the reasons for the final decision and how public comments were considered.

Level of Effort

A response to comments can be a time-intensive activity because of the large amount of organization, coordination, and review needed. On average, allow several hours per comment for completion, as some questions may take only a few minutes to answer while others may involve in-depth technical and legal responses. In general, preparing response to comments documents can take from several days for low-interest facilities to several weeks for high-interest facilities.

How to Conduct the Activity

There is no required format for preparing response to comments documents. However, several EPA Regions have adopted a two part approach:

- Part I is a summary of commenters' major issues and concerns and expressly acknowledges and responds to those issues raised by the local community. "Local community" means those individuals who have identified themselves as living in the immediate vicinity of a facility. These may include local homeowners, businesses, the municipality, and facility employees. Part I should be presented by subject and should be written in a clear, concise, easy to understand manner suitable for the public.

- Part II provides detailed responses to all significant and other comments. It includes the specific legal and technical questions and, if necessary, will elaborate with technical detail on answers covered in Part I. It also should be organized by subject.

Think of Part I as a type of fact sheet for the detailed responses provided in

Part II. Because both parts deal with similar or overlapping issues, the response to comments should state clearly that any points of conflict or ambiguity between the two parts shall be resolved in favor of the detailed technical and legal presentation in the second part.

In order to effectively address all public comments, closely coordinate the preparation of responses with appropriate legal and technical staff. Also, it is important to be certain that all comments are addressed. A system of numbering all comments as they are received and referring to these numbers in all internal drafts of the response document may help keep track of them. Computer databases are a good way to keep track of and arrange the comments.

In addition, the Response to Comments should include a summary that discusses the following:

- The number of meetings, mailings, public notices, and hearings at which the public was informed or consulted about the project;

- The extent to which citizen's views were taken into account in decision-making; and

- The specific changes, if any, in the project design or scope that occurred as a result of citizen input.

Response to comments documents must be sent to the facility owner/operator and each person who submitted written comments or requested notice of the final permit decision.

When to Use

A response to comments is required for all final permit decisions and decisions on class 2 and 3 modifications..

Accompanying Activities

A response to comments usually accompanies the **notice of decision**.

Advantages and Limitations

A response to comments provides a clear record of community concerns. It provides the public with evidence that their input was considered in the decision process. The summary also is an aid in evaluating past public participation efforts and planning for subsequent activities.

Comments may be difficult to respond to at times, like when the public raises new issues, questions, or technical evidence during the public comment period. The permitting agency may need to develop new materials to respond to these questions.

Checklist for Response to Comments

- _ After reviewing comments, determine organization of document
  - _ Determine groups, subgroups of comments
  - _ Where applicable, paraphrase and summarize comments
- _ Write a response for each comment, group or subgroup of comments
- _ Prepare an introductory statement including:
  - _ A summary of the number and effectiveness of meetings, mailing, public notices, and hearings at which the public was informed or consulted about the project
  - _ The numbers and kinds of diverse interests which were involved in the project
- _ Prepare a summary statement including:
  - _ The extent to which citizen's views were taken into account in decision-making
  - _ The specific changes, if any, in the project design or scope that occurred as a result of citizen input.
- _ Coordinate internal review of the Response to Comments with all necessary departments (public affairs, technical, legal)
- _ Prepare final Response to Comments
- _ Distribute Response to Comments to:
  - _ Information Repository
  - _ Facility owner/operator
  - _ Each individual who makes written or oral comments
  - _ Individuals who asked to receive the Response to Comments
  - _ Appropriate agency officials
  - _ Administrative Record

Information Repositories

Regulatory Requirements

EPA regulations authorize the permitting agency to require a facility to establish an information repository during the permitting process (§ 124.33) or during the active life of a facility (§ 270.30).

Description of Activity

An information repository is a collection of documents related to a permitting activity or corrective action. A repository can make information readily available to people who are interested in learning about, or keeping abreast of, RCRA activities in or near their community.

Information repositories are not mandatory activities in every situation. As mentioned above, RCRA regulations give the permitting agency the authority to require a facility to set up and maintain an information repository. The agency does not have to require a repository in every case; it should use its discretion. Additionally, a facility or an environmental group may voluntarily set up a repository to make it easier for people in the community to access information.

The size and location of the repository will depend on the type of permitting activity. The regulations allow the permit applicant or permittee to select the location for the repository, as long as it is in a location that is convenient and accessible to the public. If the place chosen by the facility does not have suitable access, then the permitting agency can choose a more suitable location. EPA encourages the facility and the agency to *involve the public when suggesting a location for the repository* -- *the potential users of the facility are best qualified to tell you if it's suitable.* See #1 under "How to Conduct the Activity" below.

The information that actually goes in the repository can differ from case to case, depending on why the repository was established. If the agency requires a facility to establish the repository, then the agency will set out the documents and other information that the facility must include in the repository. The agency will decide what information will be most useful according to the specifics of the case at hand. For instance, multi-lingual fact sheets and other documents will be most appropriate in situations where there are many non-English-speakers in an affected community. Similarly, if the community needs assistance in understanding a very technical permitting situation, then the agency and the facility should provide fact sheets and other forms of information that are more accessible to the non-technical reader. See #2 under "How to Conduct the Activity" below.

The permitting agency should assess the need, on a case-by-case basis, for an information repository at a facility. When doing so, the agency has to consider a variety of factors, including: the level of public interest; the type of facility; the presence of an existing repository; and the proximity to the nearest copy of the administrative record. Since any of these other factors may indicate that the community already has adequate access to information, and since repositories can be resource-intensive, permitting agencies should use this authority only in cases where the community has a true need for additional access to information.

For example, in determining levels of public interest the agency staff will want to consider: What kind of turnout has there been at public meetings? What kind of responses during community interviews? What level of media attention? How many inquiries have been coming in? What levels of community involvement have there been in previous facility and/or local environmental matters? If another repository already exists, can it be augmented with materials to meet the information needs of the permit or corrective action at hand? Is it located in a convenient and accessible place? [Note: If a facility has an existing repository that does not completely satisfy the need that the agency identifies, then the agency may specify additional steps that the facility must take to make the repository meet the public need.]

Is the nearest copy of the administrative record "close enough"? The answer to this question could depend on a few things. Ask yourself some other questions first. For example: Can people get there by public transportation or only by a personal vehicle (i.e, by car or taxi)? Do most people in the community rely on public transportation, or do most people have and use their own cars? Apart from whether it is accessible by public transportation or personal vehicle, how long is the trip? Is the administrative record available for review on weekends or after business hours?

Level of Effort

Depending on the amount of available documentation, the information repository may take a week to establish, including compiling and indexing documents and arranging for placement in a library or other location. Updating may take a day or two every quarter. A public notice announcing the availability of the information repository may take between a day to write, review, and place in newspapers or send to the mailing list.

How to Conduct the Activity

To establish an information repository:

1. **Determine a suitable location.** For repositories established under §§ 124.33 or 270.30, the initial choice of location is made by the facility. If the agency decides that the facility-proposed location is not suitable, then the agency will suggest another location.

   Whether required or established voluntarily, the repository should be be convenient and accessible for people in the community. Whoever establishes the repository should consider, in particular, locations suggested by community residents. Typical locations include local public libraries, town halls, or public health offices.

A facility may choose to set up the repository at its own offices. Before doing so, the facility owner or operator should discuss his or her intent with community representatives and/or the agency. It is important to confirm that people are comfortable about coming onto facility property and trust that you will properly maintain the information in the repository.

Facility owners and operators should be sensitive to the concern that some citizens have about repositories that are on facility property. Some people do not feel comfortable when they need to attend a meeting or a function on the facility grounds. If the members of your community may feel uncomfortable at the facility, then you should make all efforts to establish the repository at a suitable off-site location. All repositories should be in a location where its users will feel comfortable when accessing information.

In evaluating potential sites for the repository, there are several factors to consider. The location should have adequate access for disabled users, should be accessible to users of public transportation (where applicable), and should be open after normal working hours at least one night a week or on one weekend day. Repositories should be well lit and secure.

A facility should also ensure that someone in its company and someone at the repository location are identified as the information repository contacts -- to make sure that the information is kept up-to-date, orderly and accessible.

Depending on the level of community concern, or the location of the facility relative to the surrounding communities, more than one repository may be desirable. For example, if a county seat is several miles from the RCRA-regulated facility, and county officials have expressed a strong interest in the facility, two repositories may be advisable: one in the community closest to the facility, and the other in the county seat.

2. **Select and deposit the materials to be included in the repository.** For repositories established under EPA's regulations, the permitting agency will decide, on a case-by-case basis, what documents, reports, data, and information are necessary to help the repository fulfill its intended purposes, and to ensure that people in the community are provided with adequate information. The agency will provide a list of the materials to the facility. The agency has the discretion to limit the contents of repositories established under §§ 124.33 and 270.30. While there is no outright ban on materials, EPA encourages regulators to ensure that repository materials are relevant and

appropriate.

Facilities, permitting agencies, and public interest groups may decide to establish repositories aside from those required by regulation. Whoever establishes a repository should consult the public regarding what materials would be most useful to members of the surrounding community. EPA encourages parties to place substantive and appropriate materials in the repository.

If you are establishing an information repository, you should consider including the following documents:

- Background information on the company or facility;
- Fact sheets on the permitting or corrective action process;
- Meeting summary from the pre-application meeting (if one was conducted);
- Public involvement plan (if developed);
- The draft permit;
- Reports prepared as part of the corrective action investigations, including the RCRA Facility Assessment (RFA), the RCRA Facility Investigation (RFI), and the Corrective Measures Study (CMS);
- Fact sheets prepared on the draft permit or corrective action plan;
- Notice of decision;
- Response to comments;
- Copies of relevant RCRA guidance and regulations;
- A copy of the Cooperative Agreement, if the state is the lead agency for the project;
- Documentation of site sampling results;
- Brochures, fact sheets, and other information about the specific facility (including past enforcement history);
- Copies of news releases and clippings referring to the site;
- Names and phone numbers of a contact person at the facility and at the permitting agency who would be available to answer questions people may have on the materials in the repository; and
- Any other relevant material (e.g., published studies on the potential risks associated with specific chemicals that have been found stored at the facility).

You should organize the documents in binders that are easy to use and convenient for the on-site repository host. For projects that involve a large number of documents, separate file boxes should be provided as a convenience to the repository host to ensure that the documents remain organized.

3. **Publicize the existence of the repository.** For repositories required under RCRA regulations, the permitting agency will direct the facility, at a minimum, to announce the repository to all members of

facility mailing list. If you establish a repository aside from EPA's regulations, you should be sure to notify local government officials, citizen groups, and the local media of the location of the project file and hours of availability. Newsletters of local community organizations and church groups are another means of notifying the public.

4. **Keep the repository up-to-date by sending new documents to it as they are generated.** If the permitting activity is controversial or raises a lot of community interest, you should consider providing several copies of key documents so that community members can check them out for circulation. For repositories required under RCRA regulations, the facility is responsible for updating the repository with new documents and maintaining the documents in the repository.

When to Use

An information repository is recommended:

- When the agency requires the facility to establish an information repository. In making its determination, the agency will consider relevant factors, including: the level of public interest; the type of facility; the presence of an existing repository; and the proximity to the nearest copy of the administrative record; and

- When interest in the facility is high and the public needs convenient access to relevant facility documents.

Accompanying Activities

The contact person(s) should be responsible for making sure that all relevant materials have been filed in the repository.

If you establish a repository, you may want to consider setting aside time at the repository to periodically staff a "walk-up" **information table**. An information table would entail having a representative from your organization, the permitting agency, or both, available to answer questions that repository visitors may have. You may decide to establish the information table on a routine basis (for example, once a month) or at key milestones in the permitting or corrective action process (for example, after a draft permit decision or completion of the RFI).

Advantages and Limitations

An information repository provides local officials, citizens, and the media with easy access to accurate, detailed, and current data about the facility. It demonstrates that your organization is responsive to citizens' needs for comprehensive information on the facility.

An information repository is a one-way communication tool and does not allow for interaction between citizens and your organization (unless used in conjunction with a “walk-up” information table). The information repository may also include technical documents, which may be difficult for citizens to understand.

Checklist for Information Repositories

[Note: this checklist contains all the steps for information repositories required under §§ 124.33 and 270.30. Anyone who is establishing a repository apart from these requirements should check above in this section to find out which steps apply].

- _ Determine location of Information Repository; check with agency
- _ Establish contact with the director of the location determined above
- _ Mail a letter to the permitting agency confirming the location of the Information Repository
- _ Agency will mail a list of required documents to the facility
- _ Collect and compile the documents to include in the Information Repository
  - _ Documents sequentially numbered
  - _ Index prepared
  - _ Documents placed in notebooks
- _ Deliver documents to location determined above
  - _ Have location director sign a letter/memo acknowledging receipt of the documents
- _ Send a notice to the facility mailing list indicating the availability of the Information Repository; provide additional means of notice (e.g., newspaper, broadcast media) as appropriate
- _ Update the Information Repository as key public documents are available and at key technical milestones

Exhibits

Regulatory Requirements

None.

Description of Activity

Exhibits are visual displays such as maps, charts, diagrams, photographs, or computer displays. These may be accompanied by a brief text explaining the displays and the purpose of the exhibit. Exhibits provide a creative and informative way to explain issues such as health risks or proposed corrective actions. They make technical information more accessible and understandable.

Level of Effort

Exhibits may take from one day to one week to write, design and produce depending on the complexity of the exhibit. Computer software production will take longer. Allow time for review of the exhibit's design and concept.

How to Conduct the Activity

To develop and display an exhibit:

1. **Identify the target audience.** Possible audiences include:

   C General public;
   C Concerned citizens;
   C Environmental/Public Interest groups;
   C Media representatives; and
   C Public officials.

2. **Clarify the subject.** Possible subjects include:

   C The RCRA program or the permit or corrective action process;
   C Historical background on the facility;
   C Public participation activities;
   C Corrective action or waste management technologies; and
   C Health and safety issues associated with the facility.

3. **Determine where the exhibit will be set up.** If the general public is the target audience, for example, assemble the exhibit in a highly visible location, such as a public library, convention hall, or a shopping center. If concerned citizens are the target audience, set up a temporary exhibit at a **public meeting**, **availability session/open house**, or **an informal meeting**. An exhibit could even be as simple as a bulletin board at the site or staff trailer.

4. **Design the exhibit and its scale according to the message to be transmitted.** Include photos or illustrations. Use text sparingly.

When to Use

Exhibits can be used:

- When level of interest in the facility is moderate to high;
- When information to be conveyed can be explained graphically;
- When staff time is limited and the audience is large;
- When a display can enhance other information being distributed; and
- When displays will be useful over long periods of time and at different facilities (e.g., generic posterboards on RCRA process).

Accompanying Activities

Exhibits are useful at **public meetings**, **public hearings**, and **availability sessions/open houses**. If an **observation deck** is installed at a site, a nearby exhibit could explain corrective action or compliance activities under way.

Advantages and Limitations

Exhibits tend to stimulate public interest and understanding. While a news clipping may be glanced at and easily forgotten, exhibits have a visual impact and leave a lasting impression. Exhibits also can convey information to a lot of people with a low level of effort.

Although exhibits inform the public, they are, for the most part, a one-way communication tool. One solution to this drawback is to attach blank postcards (**surveys**) to the exhibit, encouraging viewers to comment or submit inquiries by mail to the agency. Another approach is to leave the phone number of the **contact person** who can answer questions during working hours. However, these requests must be answered or citizens may perceive the agency as unresponsive to their concerns. Finally, computer touch screens can provide some feedback by answering common questions about an exhibit.

Checklist for Exhibits

- _ Determine purpose, use of exhibit
  - _ Identify the audience
  - _ Clarify the message
  - _ Determine where and how the exhibit will be displayed
    - _ Free-standing
    - _ Table-top display
    - _ Will the exhibit need to be easily transported?
- _ Coordinate design and construction with public involvement coordinator (and contractors, if available)
  - _ Write copy
  - _ Determine graphics
  - _ Design the exhibit
  - _ Coordinate review of the design, text, and graphics
  - _ Complete the exhibit based on review comments

Briefings

Regulatory Requirements

None.

Description of Activity

Briefings are useful for sharing information with key stakeholders, whether they are involved regulators, elected officials, or members of involved public interest or environmental groups. You can use briefings to inform other stakeholders about the status of a permit application or corrective action; to provide them with materials such as technical studies; results of the technical field and community assessments; and engineering designs. These sessions are conducted in person, and the briefings usually precede release of information to the media or occur before a public meeting. Briefing key stakeholders is particularly important if an upcoming action might result in political controversy.

Level of Effort

Briefings will usually take a day to plan and conduct.

How to Conduct the Activity

To schedule and hold briefings:

1. **Inform your audience** far in advance of the date of the briefing. It is usually best to hold the initial briefing in a small public room, such as a hotel meeting room, conference room, or at the stakeholders' offices. Where relationships might be antagonistic, it may be best to hold the briefing in a neutral location.

2. **Present a short, official statement** explaining the information in the context of the RCRA process and announcing future steps in the process.

3. **Answer questions about the statement.** Anticipate questions and be prepared to answer them simply and directly.

   If the briefing has been requested, find out in advance the information that the stakeholders seek and prepare to answer these and related questions.

When to Use

Briefings are appropriate:

- When key stakeholders have expressed a moderate to high level of concern about the facility or the process;

- Before the release of new information to the media and the public;

- When unexpected events or delays occur; and
- At any point during the permit or corrective action processes. If local officials have expressed concern during the preliminary assessment of the facility, a briefing may be appropriate to explain the RCRA permitting or corrective action program and the technical actions that are scheduled for the facility.

Accompanying Activities

Briefings usually precede **news conferences**, **news releases**, **informal meetings**, or **public meetings**.

Advantages and Limitations

Briefings allow key stakeholders to question you directly about any action prior to public release of information regarding that action. By providing a "heads up," you can prepare other key stakeholders to answer questions from their constituents when the information becomes public. Briefings also allow for the exchange of information and concerns.

Because briefings are normally offered to a small select group, they are not considered to be general information dissemination to the public. Care must be taken to provide the public with ample opportunity to receive information. At briefing sessions, include the appropriate officials, taking care not to exclude people key to the public participation process. Avoid the perception that you are trying to bury facts or favor special interest groups.

Although briefings can be an effective tool for updating key stakeholders (e.g., state and local officials, community leaders, involved regulators) they always should be complemented by activities to inform the general public, such as **informal meetings** with small groups, **public meetings**, or **news conferences**.

Checklist for Briefings

_ Determine date, time, and location of briefing.

Date: ______________________________

Time: ______________________________

Location: ______________________________

_ Notify key state and local officials, citizens, and other interested parties of the briefing

_ Prepare presentation

_ Prepare any handout materials

_ Conduct briefing

_ Follow-up on any questions you are unable to answer during the briefing

Presentations

Regulatory Requirements

None.

Description of Activity

Presentations are speeches, panel discussions, video tapes or slide shows held for local clubs, civic or church organizations, school classes, or concerned groups of citizens to provide a description of current RCRA activities. They help improve public understanding of the issues associated with a permitting or corrective action.

Level of Effort

One to two days may be needed to set up and schedule the presentation, prepare for it, give the presentation, and follow up on any issues raised. Add more time if you need to prepare visual equipment.

How to Conduct the Activity

Develop procedures that can be changed easily to suit different audiences. To conduct presentations:

1. **Contact groups that may be interested in learning about your work.** Announce the program through the media and in your publications. Adjust the tone and technical complexity of any presentation to suit the audience's needs.

2. **Select a standard format** such as the following:

   - Introduce yourself, your organization, the RCRA permitting or corrective action process, and the facility;

   - Describe the issues that affect your audience;

   - Discuss what is being currently done; and

   - Discuss how citizens can play a part in making decisions about the facility.

3. **Set a time limit of 20 minutes.** Consider having several staff members deliver short segments of the presentation. Allow time for a **question-and-answer session**.

4. **Schedule presentations at convenient times,** possibly evenings or weekends, or during regularly-scheduled meetings of other groups. Consult with members of your target audience to find out what time is best for them.

5. **Select supporting materials** (slides, graphics, exhibits, etc.) that will

hold the audience's attention but not distract from the speaker's message. Conduct a trial run in front of colleagues and rehearse the presentation as much as possible.

6. **If substantive issues or technical details cannot be handled in the time allowed for the presentation, name a contact for further information.**

When to Use

Presentations may be held:

- When there is moderate to high interest in a facility;
- When it is practical to integrate short RCRA presentations into meetings on other subjects; and
- When a major milestone in the RCRA process is reached.

Accompanying Activities

Fact sheets or handouts should be distributed so that participants have something to refer to after the presentation. Incorporating **exhibits** into your presentation will hold the audience's attention and aid in their understanding of the material. **Question and answer sessions** will help clear up any misunderstanding about the presentation and allow you to address complex issues in more detail

Advantages and Limitations

Because the presentation is delivered in person, the audience has a chance to ask questions, and the presenter can gauge citizens' concerns. Also, many people can be reached at one time, reducing individual inquiries. Making project staff available for community speeches and presentations will signal your organization’s interest in the community.

Presentations require substantial effort to be effective. A poorly planned presentation can distort residents' views of the situation.

Because the presentation is rehearsed, accommodating different or unanticipated concerns of the audience can be difficult. Handle these concerns during a **question-and-answer session** after the presentation.

Checklist for Presentations

- _ Contact groups that may be interested in a presentation
- _ Determine message(s) to be presented based on stated community interests/concerns
- _ Prepare presentation(s) based on responses from groups contacted
  - _ Prepare handout materials
  - _ Prepare exhibits or other visual materials
- _ Determine what staff are available for presentations
- _ Schedule presentations
- _ Conduct rehearsals
- _ Conduct presentations
- _ Conduct follow-up question-and-answer session after presentations
  - _ Respond to questions you were unable to answer
  - _ Contact group regarding other presentation topics in which they may be interested

Facility Tours

Regulatory Requirements

None, though the tour will have to comply with facility safety plans.

Description of Activity

Facility tours are scheduled trips to the facility for media representatives, local officials, and citizens during which technical and public outreach staff answer questions. Facility tours increase understanding of the issues and operations at a facility and the RCRA-regulated process underway.

Level of Effort

Facility tours generally take a day to plan and conduct.

How to Conduct the Activity

To conduct facility tours:

1. **Plan the tour ahead of time.**

   The facility owner/operator may decide to conduct a tour, or the agency may set up a tour of the facility. If agency staff plan to lead the tour, they should coordinate with the facility owner/operator. Citizens groups should arrange tours with the facility owner/operator. If there is a Citizens Advisory Panel, the members could lead or participate in tours.

   Before the tour, you should:

   - Determine tour routes;

   - Check on availability of facility personnel, if needed; and

   - Ensure that the tour complies with the safety plan for the site.

   If it is not possible to arrange tours at the facility (e.g., the facility is under construction or not yet built), perhaps it would be possible to arrange a tour at one like it. Interested community members may benefit from touring a facility that has similar operations or where similar technologies have been applied. Touring a RCRA-regulated facility can give residents a clearer perception of what to expect at their own site.

2. **Develop a list of individuals that might be interested** in participating in a tour, including:

   - Individual citizens or nearby residents who have expressed concern about the site;

- Representatives of public interest or environmental groups that have expressed interest in the site;
- Interested local officials and regulators;
- Representatives of local citizen or service groups; and
- Representatives of local newspapers, TV, and radio stations.

3. **Determine the maximum number that can be taken through the facility safely.** Keep the group small so that all who wish to ask questions may do so. Schedule additional tours as needed.

4. **Think of ways to involve tour participants.** A "hands-on" demonstration of how to read monitoring devices is one example.

5. **Anticipate questions.** Have someone available to answer technical questions in non-technical terms.

When to Use

Tours may be conducted:

- When there is moderate to high interest in the facility, especially among elected officials;
- When it is useful to show activities at the facility to increase public understanding or decrease public concern;
- When it is practical and safe to have people on facility grounds; and
- During the remedial phase of corrective action.

Accompanying Activities

Fact sheets, **exhibits**, and **presentations** complement facility tours. An **observation deck** near the facility would allow them to watch the progress of activities on their own. An **on-scene information office** would allow for an agency official to be around and for less formal tours of the facility. An alternative to a facility tour would be a **videotape presentation** showing activity and operations at the facility. This would be effective in cases where tours cannot be conducted.

Advantages and Limitations

Facility tours familiarize the media, local officials, and citizens with the operations and the individuals involved in the permitting or corrective action. Unreasonable fears about the risks of the facility may be dispelled, as might suspicion of corrective action crews working at the facility. The result is often better understanding between stakeholders.

Facility tours require considerable staff time to arrange, prepare, and coordinate. Staff may have difficulty gaining site access for non-agency people. Insurance regulations for the facility and liability, safety and injury considerations may make tours impossible.

Checklist for Facility Tours

- _ Determine need for facility tours
- _ Coordinate tours with the facility
    - _ Tour routes
    - _ Facility personnel
    - _ Tour dates
    - _ Compliance with health and safety
- _ Determine maximum number of people that can be taken on the tour
- _ Notify interested citizens on availability of facility tours
    - _ Call interested citizens
    - _ Distribute mailing to facility mailing list
    - _ Have citizens respond and reserve space on the tour
- _ Determine plant staff or agency staff to conduct tour
- _ Prepare responses to anticipated questions
- _ Conduct tours
- _ Follow-up on any requested information from interested citizens

Observation Decks

Regulatory Requirements

None.

Description of Activity

An observation deck is an elevated deck on the facility property, near the area where corrective or RCRA-regulated activities are in progress. The deck allows interested citizens to observe facility activities or corrective actions directly in order to remove some of the unfamiliarity, and hence fear, that may encompass RCRA-regulated activities.

Level of Effort

Maintaining an observation deck may be a time-intensive activity depending on the deck's hours of operation. Up to 40 hours a week may be necessary to staff the deck. Short Cut: Consider hiring a contractor to staff the deck, or limit the hours when it is open to the public.

How to Conduct the Activity

To use an observation deck, the agency and the facility should work together to:

1. **Decide whether or not an observation deck is needed or desirable.** Gauge community interest in the facility and whether or not there is a location for a deck that would facilitate observation.

2. **Coordinate deck construction.** Determine the best location for the observation deck keeping in mind safety and public access issues.

3. **Coordinate staffing of the observation deck.** Determine the hours of operation for the observation deck. Identify staff to supervise the observation deck and prepare staff to answer questions from the public.

4. **Announce the availability of the observation deck.** Notify the community that the deck is available through public notices, fact sheets, and a mailing to the facility mailing list.

When to Use

An observation deck may be used:

- When community interest or concern is high;
- When the community's understanding of facility operations will be enhanced by direct observation;
- When there will be sufficient activity at the site to promote the community's interest;

- When staff are available to supervise public use of the deck and answer questions;
- When it is physically possible to set up an observation deck in a place where there is no danger to the public;
- When a corrective action is being implemented; and
- When a new technology is being tested or implemented.

Accompanying Activities

An observation deck could complement periodic **facility tours** or an **on-scene information office**. Citizens can initially be informed about operations or corrective actions during the tours, then can monitor the progress of these activities at their convenience from the observation deck. **Fact sheets** or an informative **exhibit** placed near the deck also could further aid in explaining facility activities.

Advantages and Limitations

An observation deck allows citizens and media representatives to observe site activities without hindering the activities.

Constructing and occupying an observation deck is expensive and needs to be supplemented with an informational/interpretive program, so that citizens understand what they see. Further, health and safety issues must thoroughly be considered so that any visitor to the observation deck is not endangered by activities at the facility.

Checklist for Observation Decks

- _ Determine need for an observation deck
  - _ Coordinate with facility
- _ Identify staff available to supervise the observation deck and answer questions from interested citizens
- _ Coordinate deck construction
- _ Set hours of operation for the observation deck
- _ Notify interested citizens of availability of observation deck
  - _ Public notice
  - _ Fact sheet
  - _ Mailing to facility mailing list
- _ Maintain observation deck

News Releases and Press Kits

Regulatory Requirements

None.

Description of Activity

News releases are statements that you or your organization send to the news media. You can use them to publicize progress or key milestones in the RCRA process. News releases can effectively and quickly disseminate information to large numbers of people. They also may be used to announce public meetings, report the results of public meetings or studies, and describe how citizen concerns were considered in the permit decision or corrective action.

Press kits consist of a packet of relevant information that your organization distributes to reporters. The press kit should summarize key information about the permitting process or corrective action activities. Typically a press kit is a folder with pockets for short summaries of the permitting process, technical studies, newsletters, press releases, and other background materials.

If your organization has public affairs personnel, you should coordinate with them to take on media contact responsibilities.

Level of Effort

News releases generally take eight hours to write, review, and distribute to the media.

How to Conduct the Activity

To prepare news releases and press kits:

1. **Consult with external affairs personnel who regularly work with the local media.** External affairs personnel will assure that you adhere to organization policy on media relations. They will assist in drafting the news release and can provide other helpful suggestions about the release and the materials for the press kit.

2. **Identify the relevant regional and local newspapers and broadcast media, and learn their deadlines.** Get to know the editor and environmental reporter who might cover the issue. Determine what sorts of information will be useful to them.

3. **Contact related organizations to ensure coordination.** For instance, permitting agencies should contact other regulatory agencies on the federal, state, and local levels to ensure that all facts and procedures are coordinated and correct before releasing any statement

or other materials. If your organization is local, you should coordinate with national or state-wide chapters. You may want to consider discussing the news release with other interested stakeholders (e.g., through a **briefing**). However, draft news releases should not be shared -- they are internal documents.

4. **Select the information to be communicated.** For the press release, place the most important and newsworthy elements up front and present additional information in descending order of importance. Use supporting paragraphs to elaborate on other pertinent information. Mention opportunities for public participation (i.e., public meetings, etc.) and contact persons and cite factors that might contribute to earlier implementation or delays in the corrective action or permit processing. Note the location of the information repository (if applicable) or other sources for relevant documents. If you are presenting study findings or other technical information, present it in layman's terms along with any important qualifying information (e.g., reliability of numbers or risk factors).

   The press kit should contain materials that elaborate on the information in the press release. Basic summaries of the RCRA program, the permitting process, and public participation activities are helpful materials. Background reports or studies may also be useful. Enclose the name and phone number of a contact person and invite the reporter to call him or her with any questions.

5. **The news release should be brief.** Limit it to essential facts and issues.

6. **Use simple language.** Avoid the use of professional jargon, overly technical words, and acronyms.

7. **Identify who is issuing the news release.** The top of the sheet should include:

   C Name and address of your organization;

   C Release time ("For Immediate Release" or "Please Observe Embargo Until") and date;

   C Name and phone number of the contact person for further information; and

   C Headline summarizing the activity of interest.

8. **In some cases, send copies of the release and the press kit to other stakeholders** at the same time you give them to the news media. Coordinate with the public affairs office to determine appropriateness.

When to Use

The press kit and the news release can be complementary activities, though you may choose to use either one separately. Some of the occasions when you may want to issue a news release or a press kit include:

- When significant findings are made at the site, during the process, or after a study;
- When program milestones are reached or when schedules are delayed;
- In response to growing public or media interest or after your organization takes a new policy stance;
- When you are trying to increase public interest in a facility;
- Before a public meeting to announce subject, time, place; and
- A news release should <u>not</u> be issued at times when it may be difficult to get in touch with responsible officials (e.g., Friday afternoons, or the day before a holiday).

Accompanying Activities

The press kit is useful as a complement to a news release. News releases and press kits can accompany any formal **public hearings** or **public meetings**. They commonly accompany **news conferences**. They should provide the name of the **contact person** whom interested reporters can contact if they want more information.

Advantages and Limitations

A news release to the local media can reach a large audience quickly and inexpensively. Press kits allow reporters to put the issue in context. If a reporter is trying to meet a deadline and cannot contact you, he or she can turn to the press kit as an authoritative source of information. If the name, address, and phone number of a contact person are included, reporters and possibly interested community members can raise questions about the information in the release.

Because news releases must be brief, they often exclude details in which the public may be interested. A news release should therefore be used in conjunction with other methods of communication that permit more attention to detail. A news release is not an appropriate vehicle for transmitting sensitive information. In some cases, a news release can call unwarranted attention to a situation; a mailing to selected individuals should be considered instead. Frequent use of news releases to announce smaller actions may reduce the impact of news releases concerning larger activities.

One potential drawback of a press kit is that reporters may ignore it or use the information incorrectly when writing a story.

News releases and press kits cannot be used in lieu of a public notice. Certain activities, such as the preparation of a draft permit, are subject to public notice requirements. See the section on “Public Notices” earlier in this Chapter for more details.

Checklist for News Releases and Press Kits

- _ Coordinate with public affairs staff
- _ Determine purpose of news release and/or press kit
- _ Coordinate writing and distribution of release or press kit with the public affairs staff
    - _ Verify that media mailing list is up-to-date
    - _ Request mailing labels
- _ Write draft news release
    - _ Type and double space news release
    - _ Indicate the source of the news release (i.e., in the upper-left-hand corner, put the name and phone number of the person writing the release, along with the agency or department name and address)
    - _ Provide release instructions (i.e., "For Immediate Release")
    - _ Date the news release
    - _ Write concisely; avoid technical terms and jargon
    - _ Number pages; if more than one page is needed, put " -- more --" at the center bottom of the page that is to be continued; succeeding pages should be numbered and "slugged" with an identifying headline or reference (i.e., "EPA -- 2"); when you come to the end of the news release, indicate the end with one of the following: -- 30 --, ####, or -- END --.
- _ Prepare materials for the press kit
    - _ Collect short descriptions of the RCRA program, permitting, and public participation processes
    - _ Include other pertinent information, such as reports, studies, and fact sheets
- _ Coordinate internal review
- _ Prepare final matierals based on review comments
- _ Distribute news release and press kit to local media

News Conferences

Regulatory Requirements

None.

Description of Activity

News conferences are information sessions or briefings held for representatives of the news media and may be open to the general public. News conferences provide all interested local media and members of the public with accurate information concerning important developments during a RCRA-regulated process. If your organization has public outreach personnel, you will probably want to coordinate news conferences with them.

Level of Effort

Allow one to two days to prepare for, rehearse, and conduct a news conference.

How to Conduct the Activity

To conduct news conferences:

1. **Coordinate all media activity through your outreach staff.** Public outreach personnel will assure that you adhere to organization policy on news conferences. They will help arrange location and equipment, etc.

2. **Evaluate the need for a news conference.** Use this technique carefully because statements made during a news conference may be misinterpreted by the media. For reporting the results of site inspections, sampling, or other preliminary information other public involvement techniques (e.g., **fact sheets**, **news releases**, or **public meetings**) may be more appropriate. A news conference announcing preliminary results of technical studies may add unnecessarily to public concerns about the facility.

3. **Notify members of the local and regional media of the time, location, and topic of the news conference.** Local officials also may be invited to attend, either as observers or participants, depending upon their interest. Including local officials at a news conference will underscore your organization’s commitment to a community's interests and concerns.

4. **Anticipate reporters' questions and have your answers ready.**

5. **Present a short, official statement, both written and spoken, about developments and findings.** Explain your organization’s decisions by reviewing the situation and identifying the next steps. Use visual aids, if appropriate. Live conferences leave no room for

mistakes, so preparation and rehearsal is very important.

Open the conference to questions, to be answered by your staff, local officials, and any other experts present. Have technical staff on hand to answer any technical questions. Decide ahead of time who will answer certain types of questions.

When to Use

News conferences can be used:

- C When time-sensitive information needs to reach the public, and a news release may not be able to address key issues for the community;
- C When staff are well-prepared to answer questions; and
- C During any phase of the permit application or corrective action.

Accompanying Activities

News conferences can be held before or after formal **public hearings** or **public meetings**. They are usually accompanied by **news releases**. **Exhibits**, **telephone contacts**, **briefings**, and **mailing lists** would contribute to the planning and effectiveness of a news conference.

Advantages and Limitations

News conferences provide a large public forum for announcing plans, findings, policies, and other developments. They also are an efficient way to reach a large audience. A written news release can help ensure that the facts are presented accurately to the media. During the question and answer period, your spokesperson(s) can demonstrate knowledge of the facility and may be able to improve media relations by providing thorough, informative answers to all questions.

A news conference can focus considerable attention on the situation, potentially causing unnecessary local concern. Residents may not welcome the increased attention that such media coverage is apt to bring. News releases or lower-profile means of disseminating information should be considered as alternatives.

A risk inherent in news conferences is that the media can take comments out of context and create false impressions. This risk is heightened when staff are unprepared or when the conference is not properly structured or unanticipated questions are asked.

Checklist for News Conferences

- __ Coordinate news conference with public affairs staff
- __ Determine purpose of news conference
- __ Identify staff to make presentations/answer questions at news conference
- __ Prepare visual materials (i.e., exhibits) and handout materials (i.e., fact sheets)
- __ Prepare responses to "anticipated" questions from the media
- __ Coordinate a rehearsal of all presenters
- __ Determine date, time, location, and equipment needs of news conference
    - __ Is the location large enough to accommodate the media?
- __ Notify local media of news conference in advance of news conference
- __ Call the local media the day before the news conference as a reminder
- __ Conduct the news conference
    - __ Set up room with a speakers table, chairs for the audience
    - __ Have handout materials available when media arrive

Community Interviews

Regulatory Requirements

None.

Description of Activity

Community interviews are informal, face-to-face or telephone interviews held with local residents, elected officials, community groups, and other individuals to acquire information on citizen concerns and attitudes about a facility. The interviews may be conducted by facility staff, the permitting agency, or public interest groups as part of the community assessment. Chapter 2 provides more information on community assessments in the section titled "Assessing the Situation."

Community interviews can play an important role in the community assessment, which usually takes place at the beginning of the permitting process, or before major modifications and significant corrective actions. Community interviews will not be necessary in every community. For instance, in routine or non-controversial situations, there may be no need for community interviews. However, if a facility is controversial or has the potential to receive high levels of public interest, then EPA recommends a broad range of community interviews. Permitting situations that fall between the preceding cases may require some interviews, beginning with a survey of community representatives and group leaders (see "Assessing the Situation" in Chapter 2).

Community interviews allow agencies, facility owners, and public interest groups to tailor regulatory requirements and additional activities to fit the needs of particular communities. Information obtained through these interviews is typically used to assess the community's concerns and information needs and to prepare a **public participation plan**, which outlines a community-specific strategy for responding to the concerns identified in the interview process.

Level of Effort

Community interviews are a time-intensive activity because of the large amount of organization required and time needed for interviews. While level of effort will vary, interviewers should schedule at least one hour per interview for research and preparation, the interview itself, and follow-up activities. If time and/or resources are limited, interviewers may want to conduct interviews by phone and focus on community leaders.

How to Conduct the Activity

Permitting agencies, facility owners, and public interest groups who plan to conduct community interviews should follow the steps below, adjusting them as necessary to suit the situation at hand:

1. **Identify potential people to interview.** If a mailing list is not available, begin by reviewing available files and other documents (e.g., newspaper articles) to identify local residents, key state and local officials, and citizen organizations that have been involved with or expressed concern about the facility. Agency staff or other groups in the community (e.g., existing facility owners and operators, public interest organizations, civic groups, local government agencies) may also be able to suggest individuals or groups to interview. Develop a list of individuals and groups that provides the greatest variety of perspectives. Make sure to include individuals who tend to be less vocal to balance the views of those who are more outspoken. Your contact list may include:

    - state agency staff, such as officials from health, environmental, or natural resources departments;
    - local agency staff and elected officials, such as county health department officials, county commissioners, mayor or township administrator, and officials on environmental commissions, advisory committees, and planning boards;
    - representatives of citizens' groups organized to address issues at the facility or in the area;
    - non-affiliated area residents and individuals;
    - local business representatives (e.g., from the Chamber of Commerce or Council of Governments);
    - local civic groups, neighborhood associations, educational and religious organizations;
    - local chapters of public interest groups (e.g., environmental organizations); and
    - nearby landowners and businesses.

2. **Determine how many interviews to conduct.** Conduct interviews with the goal of obtaining a broad range of perspectives and gathering sufficient information to develop an effective public participation plan. However, the actual number of interviews is likely to depend on available time and resources as well as the community's level of interest and concern about the facility. It is generally desirable to conduct more extensive interviews in communities where the level of concern is high. Alternatively, where the level of interest is low or there has already been significant interaction with community, fewer interviews may be appropriate.

3. **Prepare for the interviews.** Before conducting the interviews, learn as much as possible about the community and community concerns

regarding the facility. Review any available news clippings, documents, letters, and other sources of information relevant to the facility. Determine whether the community has any particular language, geographic, or economic characteristics that should be addressed. Prepare a list of questions that can serve as a general guide when speaking with residents and local officials. Questions should be asked in a way that stimulates discussion on a variety of topics, including:

- General knowledge of the facility. Find out what sort of information the community has received about the facility and if what level of involvement the community has had with the facility.

- Specific concerns about the technical and regulatory aspects of activities at the facility. Determine what the community's concerns are and what types of information would be most appropriate to address these concerns.

- Recommended methods of communicating with the community and receiving community input. Determine which communications tools are likely to be most effective -- e.g., mailings, meetings, broadcast media -- and what public participation events could best serve the community. Learn about special information needs that the community may have (e.g., the level of literacy, the percentage of non-English speakers).

- The best public meeting facilities, most relied-upon media outlets, and the best times to schedule activities.

- Other groups or individuals to contact for more information.

4. **Arrange the interviews.** Telephone prospective interviewees and arrange a convenient time and place to meet. Ideally, the meeting place should promote candid discussions. While government and media representatives are likely to prefer meeting in their offices during business hours, local residents and community groups may be available only in non-business hours. Meetings at their homes may be most convenient.

During the interviews:

1. **Provide background information.** Briefly describe the permitting activity or corrective action at hand.

2. **Assure interviewees that their specific comments will remain confidential.** At the beginning of each interview, explain the purpose of the interviews -- to gather information to assess community concerns and develop an appropriate public participation strategy.

Explain that while the public participation plan will be part of the administrative record, the plan will not attribute specific statements or information to any individual. Ask interviewees if they would like their names, addresses, and phone numbers on the mailing list.

3. **If community members do not feel comfortable with interviewers from your organization, consider using a third-party.** Some citizens may not be entirely forthcoming with their concerns or issues if they are uncomfortable with the interview. If sufficient resources are available, inciter hiring a contractor to perform interviews. Some civic or community organizations may be willing to help in the interview process. If these options are not available, then consider distributing anonymous **surveys** or convening **focus groups**, where a number of citizens can give their input together.

4. **Identify other potential contacts**. During the discussions, ask for names and telephone numbers of other persons who are interested in activities at the facility.

5. **Gather information on past citizen participation activities**. Determine the interviewee's perceptions of past outreach activities by your organization.

6. **Identify citizens' concerns about the facility**. When identifying concerns, consider the following factors:

   - Threat to health -- Do community residents believe their health is or has been affected by activities at the facility?

   - Economic concerns -- How does the facility affect the local economy and the economic well-being of community residents?

   - Agency/Facility/Interest Group credibility -- Does the public have confidence in the capabilities of the agency? What are the public's opinions of the facility owner/operator and involved environmental/public interest organizations

   - Involvement -- What groups or organizations in the community have shown an interest in the facility? Is there a leader who has gained substantial local following? How have interested groups worked with the agency or facility in the past? Have community concerns been considered in the past?

   - Media -- Have events at the facility received substantial coverage by local, state, or national media? Do local residents believe that media coverage accurately reflects the nature and intensity of their concerns?

   - Number affected -- How many households or businesses perceive themselves as affected by the facility (adversely or positively)?

7. **Assess how citizens would like to be involved in the RCRA permitting or corrective action process**. Briefly explain the RCRA public participation process and ask the interviewees how they would like to be involved and informed of progress made and future developments at the facility. Ask what is the best way to stay in contact with the interviewee. Ask the interviewee to recommend convenient locations for setting up the information repository or holding public meetings. Keep a list of those who wish to be kept informed.

When to Use

Community interviews should be conducted:

- As part of a community assessment by facility owners who are applying for a permit, seeking a major permit modification, or beginning significant corrective action.
- By the permitting agency to find out about community concerns at the outset of a major permitting or corrective action process.
- Before revising a public participation strategy, because months, or perhaps years, may have elapsed since the first round of interviews, and community concerns may have changed.

As the level of community concern increases, so does the need to conduct more extensive assessments. If there has been a lot of interaction with the community and interested parties, information on citizen concerns may be current and active. In such situations, it may be acceptable to conduct only a few informal discussions in person or by telephone with selected, informed individuals who clearly represent the community to verify, update, or round out the information already available.

Accompanying Activities

As stated above, community interviews are conducted to gather information to develop an appropriate **public participation plan** for the facility. A **mailing list** may or may not be in place at the time interviews are conducted. If there is one, it can be used to identify individuals to interview. If one has not yet been established, the interviews themselves can provide the basis for the list.

Advantages and Limitations

Community interviews can be a valuable source of opinions, expectations, and concerns regarding RCRA facilities and often provide insights and views that are not presented in the media. In addition, these interviews may lead to additional information sources. The one-on-one dialogue that takes place during community interviews provides the basis for building a good working relationship, based on mutual trust, between the community and other stakeholders. Therefore, although its primary purpose is to gather information, the community interview also serves as an important public outreach technique.

The major disadvantages of community interviews are that they may be time-consuming and resource-intensive for your staff; they could cause unnecessary fear of the situation among the public; and, they are not very useful if you do not talk with the right people -- the people who have not identified themselves as well as the more vocal ones who have.

Checklist for Community Interviews

- _ Determine number of interviews to be conducted: ______________________
- _ Determine dates for interviews: ______________________
- _ Identify team to conduct interviews:

  ____

  ____
- _ Identify individuals to interview
  - _ Review facility background files for names of people who have expressed interest
  - _ Identify community leaders to contact
  - _ Identify city/state/county officials to contact
- _ Prepare interview questions
- _ Review background information available about the facility and community
- _ Set up interviews
  - _ Confirm interviews by mail or phone
- _ Conduct interviews
  - _ Ask for additional people to contact
  - _ Gather information using prepared interview questions
- _ Follow-Up
  - _ Follow-up interview with a thank you letter
  - _ Notify the interviewee when the public participation strategy is available in the repository

Focus Groups

Regulatory Requirements

None.

Description of Activity

Some organizations use focus groups as a way of gathering information on community opinion. The advertizing industry developed focus groups as an alternative to expensive market research (which relies heavily on polling). Focus groups are small discussion groups selected either to be random or to approximate the demographics of the community. The group is usually led by a trained moderator who draws out people's reactions to an issue.

Facility owners may want to consider focus groups as a complement to interviews during the community assessment or at important activities during the life of a facility. The permitting agency may want to consider focus groups to gauge public opinion before controversial permitting activities or corrective actions.

Level of Effort

Focus groups can be resource-intensive, depending on the number of groups you convene. This method will be more expensive if you need to provide for a moderator, meeting space, or transportation.

How to Conduct the Activity

To prepare for focus groups:

1. **Determine whether or not a focus group can help the process.** Community interviews serve much the same purpose as focus groups. Will gathering members of the community together provide more comfort? Will it be a more effective means of gauging public opinion?

2. **Select your focus groups.** Contact other stakeholders and community leaders to get input on who to include in your focus groups.

3. **Use community interview techniques to get input from the focus group.** You can follow the guidance in "Community Interviews" above in this Chapter to learn about the types of questions to ask your focus groups.

4. **Use the information in forming a public participation plan.**

When to Use

Facility owners may want to use focus groups as a complement to community interviews; permitting agencies may want to consider focus groups in situations where there is a high degree of public interest in a permitting activity. Focus groups provide a quick means of feedback from a representative group and can be a good supplementary activity, especially if such group discussions will make some members of the public feel more comfortable.

Accompanying Activities

Use focus groups as a complement to **community interviews**. You may want to hold a **presentation** or provide the groups with information such as **fact sheets**.

Advantages and Limitations

Focus groups allow you to get an in-depth reaction to permitting issues. They can help to outline a public participation plan and give an indication of how the public will react to certain issues.

The reactions of a focus group cannot, in all cases, be counted on to represent the greater community. Some people may perceive focus groups as an effort to manipulate the public.

Checklist for Focus Groups

_ Determine number of focus groups to be conducted: ______________________

_ Determine dates for focus groups: ______________________

_ Identify moderator to conduct focus groups:

____

_ Identify individuals for focus groups

    _ Review facility background files for names of people who have expressed interest

    _ Identify community leaders to contact

    _ Identify city/state/county officials to contact

_ Prepare discussion questions

_ Review background information available about the facility and community

_ Set up focus groups

    _ Confirm participation by mail or phone

_ Conduct focus groups

    _ Ask for additional people to contact

    _ Gather information using prepared interview questions

_ Follow-Up

    _ Follow-up interview with a thank you letter

    _ Notify the interviewee when the public participation plan is available

Door-to-Door Canvassing

Regulatory Requirements

None.

Description of Activity

Door-to-door canvassing is a way to collect and distribute information by calling on community members individually and directly. Public interest groups have long used such techniques, and they may also be useful for facility owners as a way to gauge public interest during the community assessment stage. The permitting agency may consider using this technique to interact with the community in situations where public interest is very high, such as emergency cleanups, or in other situations where direct contact with citizens is essential. See the section on "When to Use" below for more details.

During these interactions, canvassers can field questions about the permitting activity, discuss concerns, and provide fact sheets or other materials. Some citizens may want to find out more about the activity by signing up for mailing lists or by attending an upcoming event.

Level of Effort

Door-to-door canvassing is a very time-intensive activity because of the number of staff needed to conduct the canvassing and the amount of time you will need to plan for the canvassing. Canvassers should travel in pairs in areas where there may be a lot of contention or in high crime areas. Planning for the door-to-door canvassing will require at least a day. This includes identifying the area to be canvassed, determining the amount of staff needed, and notifying area residents. The amount of time spent canvassing will depend on the size of the area to be canvassed.

How to Conduct the Activity

A door-to-door canvass involves training staff to gather information, answer questions, and to communicate with a possibly irate or suspicious public.

Procedures to follow in preparing a door-to-door canvass include:

1. **Identify the area where canvassing is necessary or desirable.** Determine the area where special information must be given or collected. This area may range from just a few streets to several neighborhoods. Determine if there is a need for a translator or materials in languages other than English. Also determine when it is likely that people will be at home; the canvassing may have to be conducted in the evening.

2. **If time permits, notify residents** (e.g., by distributing a flyer) that canvassers will be calling door-to-door in the area. Tell residents what time the canvassers will be in the neighborhood and explain the purpose of the canvassing program. Advance notice will reduce the suspicions of residents and encourage their cooperation. Also, notify local officials so they are aware of the door-to-door canvassing.

3. **Provide canvassers with the information they will need** to respond to questions. Residents will want to know what is happening at the facility and may have questions about possible health effects associated with various activities. If appropriate, you should distinguish between the types of questions that a canvasser may answer (i.e., questions concerning the schedule of activity) and the types of questions that should be referred to technical staff (e.g., highly technical questions concerning hazardous waste or agency policies). Provide canvassers with fact sheets or other written materials for distribution.

4. **Canvass the designated area.** Note the name, address, and telephone number of residents requesting more information. Note also the names of those who were especially helpful in giving information. Be prepared to tell residents when they will next be contacted and how (i.e., by telephone, by letter, or in person). All canvassers should have an official badge to identify themselves to residents.

5. **Send a thank-you letter** after the canvass to all residents in the canvassed area. If possible, provide information concerning recent developments and any results or pertinent information gathered by the canvass. Respond to special requests for information either in the thank-you letter or by telephone.

When to Use

Door-to-door canvassing may be used:

C When there is a high level of concern about the site, but meetings cannot be scheduled;

C When there is a need to notify citizens about a certain event or an upcoming permitting issue;

C When you need to reach a specific group of people for a specific purpose, such as getting signatures to allow access to properties adjacent to the facility;

C When the community has a low literacy rate and written materials aren't useful;

- When the area consists of a population whose primary language is not English, but it is important to pass information to the area; and

- When there is an emergency situation that the community needs to know about.

Accompanying Activities

Telephone contacts and **community interviews** may help to identify appropriate areas for canvassing efforts. Canvassers should add to the **mailing list** names of individuals who either requested additional information or provided particularly useful information.

Advantages and Limitations

This activity involves face-to-face contact, thereby ensuring that citizens' questions can be directly and individually answered. Canvassing demonstrates a commitment to public participation, and is a very effective means of gathering accurate, detailed information, while determining the level of public concern.

This technique is very time-consuming and costly, even in a small area. Furthermore, trained people that can answer questions at the necessary level of detail are often not available for this activity. This activity is not recommended for the dissemination of information except in an emergency. This high level of direct contact can raise more concerns rather than allay them.

The safety and security of the canvassers also should be taken into account when planning this activity. Additional staff may be need so that people can work in teams to two or three; in extreme situations, security staff may be necessary .

Checklist for Door-to-Door Canvassing

_ Identify area where canvassing will be conducted

  _ Prepare maps for each team of canvassers

  _ Send a letter to residents announcing canvassing
    _ Prepare mailing list using the city directory (section listing residences by street address)
    _ Prepare letter; coordinate internal review

  _ Determine security needs of canvassing team

_ Prepare any information (i.e., fact sheets) that canvassing team may provide to interested residents

_ Identify staff to conduct canvassing and have official badges made to identify them

_ Brief staff on canvassing effort

  _ Provide staff with a copy of letter sent to residents

  _ Tell staff what kinds of questions they may answer and provide them with information (i.e., questions concerning the schedule of activity)

  _ Tell staff what kinds of questions they should refer to a specialist (i.e., technical questions)

  _ Provide staff with prepared maps

_ Canvass designated areas

  _ Note the name, address, and telephone number of residents requesting more information

_ Send thank you letter to all residents in the canvassed area

Public Comment Periods

Regulatory Requirements

Public comment periods are required whenever the permitting agency issues a draft permit or an intent to deny a permit (§ 124.10). Comment periods are also mandatory on requests for Class 2 and 3 permit modifications under § 270.42, for agency-initiated modifications under § 270.41, and during closure and post-closure for interim status facilities under §§ 265.112(d)(4) and 265.118(f).

Description of Activity

A public comment period is a designated time period in which citizens can formally review and comment on the agency's or facility's proposed course of action or decision. Comment periods for RCRA permits must be at least 45 days.

Level of Effort

There is no specific level of effort for a public comment period. Estimates of the time required to conduct activities associated with the public comment period (public notice, public hearing, etc.) are found elsewhere in this chapter. The time required to receive, organize, and determine how to respond to comments will vary depending on the number of comments received and the complexity of the proposed action (see the section on "Response to Comments" earlier in this chapter).

How to Conduct the Activity

Announce the public comment period in a local newspaper of general circulation and on local radio stations. Public notices must provide the beginning and ending dates of the public comment period and specify where interested parties should send their comments and/or requests for a public hearing. Refer to the section about "Public Notices" earlier in this chapter for further information.

When to Use

A minimum 45-day public comment period is required for RCRA permits, including modifications to permits initiated by the agency as well as Class 2 and 3 modifications requested by the facility.

Accompanying Activities

Public comment periods cannot begin until notice of the permitting activity is given. RCRA requires that the agency conduct a **public hearing** if requested by a member of the public during the public comment period. Announce the hearing through a public notice and through a fact sheet, if one is prepared in advance. Public comment periods cannot begin until notice is given.

Comments received during the public comment period must be discussed in a written **response to comments**.

Advantages and Limitations

Public comment periods allow citizens to comment on agency and facility proposals and to have their comments incorporated into the formal public record.

However, public comment periods provide only indirect communication between citizens and agency officials because, in some cases, the formal responses to the comments may not be prepared for some time. Also, in some cases, the agency may not individually respond to every comment. A public participation program should provide other activities that allow dialogue between agency officials and the community.

Checklist for Public Comment Periods

_ Determine dates of public comment period (minimum of 45 days)

Dates: ____________________

_ Determine contact person within the agency who will answer citizens' questions regarding the public comment period

_ Announce public comment period through a public notice

_ If requested by a member of the public during the comment period, schedule a public hearing

_ Document with a memo to the file any comments that were not received in written form

Unsolicited Information and Office Visits

Regulatory Requirements

None.

Description of Activity

EPA encourages permitting agencies, public interest groups, and facility owners/operators to seek input from interested citizens and other stakeholders. At times, this information may arrive in the form of phone calls, letters, and meetings. While this type of information is not always asked for, it can be helpful.

Citizens or stakeholders from other groups may want to visit the agency's office or the facility. In this situation, the visiting stakeholders will want to meet with the person who works most directly with their concerns.

Level of Effort

Depends entirely on the type of unsolicited information provided by the public. Office visits will also command varying amounts of time.

How to Conduct the Activity

Members of the public will come to the agency, the facility, or another organization with information and requests. Public outreach staff should be available for discussion and information when visitors come.

Unsolicited information can be very helpful. First, it can provide an idea of the level of public concern over a facility. Second, members of the public often provide information that is essential to making good technical, economic, and policy decisions. Local citizens often have the most knowledge and insight about the conditions of the land and the people surrounding a facility.

If interested people come to the office, they should be received by a staff member who can relate well with the public and knows the overall mission of your organization. If feasible, he or she should introduce the visitors to members of the staff who can discuss specific issues. Staff people should listen to the citizens' concerns and provide feedback where possible. They should be candid when they do not know the answer to a question. They should also be cordial, avoid jargon and overly technical language, and try to solve the visitor's problem. (See the section on "Informal Meetings With Other Stakeholders" in this Chapter for more information).

If citizens send a letter or call by phone, the receiving organization should respond as soon as possible. If the response will be delayed, a representative of the organization should write a letter or call to explain.

The receiving organization should consider all relevant comments as informal input into the permitting process and let citizens know how they can submit formal comments.

When to Use

Unsolicited information is a constant in community participation. You can improve (or maintain) the credibility of your organization by giving due weight to citizens' concerns and by replying promptly to citizen input.

Accompanying Activities

Fact sheets, **project reports**, and other mailings can answer questions or reply to citizen inquiries. Offer to put concerned citizens on the **mailing list**. Consider holding an **availability session**, **open house**, or **informal meetings** if you detect a high level of public interest.

Advantages and Limitations

A good outreach program can increase your organization's credibility. Unsolicited information can alert you to issues of high public concern and allow you to identify involved groups in the community. Visitors to your organization can get to know the staff, while the staff gains a better understanding of the visitors' concerns.

Unsolicited information is, at best, a supplement to more formal information-gathering. It may be misleading since it does not always reflect the overall level of public concern. Good handling of unsolicited information takes good communication and cooperation within your organization.

Checklist for Unsolicited Information and Office Visits

For office visits:

- _ Appoint a member of your staff to act as a liaison for public visits
- _ The liaison should answer questions and introduce stakeholders to members of your organization who are involved in the issue
- _ Invite visitors to put their names on your mailing list
- _ Follow up quickly on any questions that you could not answer during the visit

For phone calls and written requests:

- _ Keep a log of calls and letters from other stakeholders
- _ Respond quickly to questions; inform the questioner if your response will not be timely

Surveys and Telephone Polls

Regulatory Requirements

None.

Description of Activity

If public participation is to be a dialogue, citizens need ways to provide feedback to facilities, public interest organizations, and permitting agencies. Surveys and polls are designed to solicit specific types of feedback from a targeted audience, such as public opinion about a permitting activity, the effectiveness of public participation activities, or what could be done to improve distributed materials. Surveys may be either oral or written; used in person or by mail; and distributed either to specific segments of the community or to representative samples. We discuss telephone polls in this section, but you may want to consider door-to-door polling or other methods.

Facility owners may want to consider using surveys and polls during the community assessment to gauge public sentiment about constructing or expanding a facility, or as a complement to direct community interviews. The permitting agency can use surveys and polls in a similar fashion, especially during major projects and at facilities that raise controversy. The agency, public interest groups, and the facility owner may also want to use surveys and polls to find out if citizens are receiving enough information about the RCRA activity and are being reached by public notices or other outreach methods.

Level of Effort

On-paper surveys distributed at meetings or by mail are relatively easy and inexpensive, aside from postage. Surveys done in person or by telephone can be very time-consuming.

How to Conduct the Activity

To prepare for surveys or telephone polls:

1. **Specify the information that you need to gather.** Construct specific questions to include in the survey or poll. For written surveys, consider which questions should be multiple choice or "check one box" -- formats that people are more likely to answer. Ensure that oral questions are not too long or confusing and be wary of the factors that can bias your surveying method (e.g., the wording of the question).

   Survey questions do not have to be highly detailed in every case. You may use surveys to allow people to submit general impressions after a meeting or a hearing.

2. **Design the survey or poll.** For written surveys, you should leave plenty of room for people to write. Give clear instructions and explain how you will be using the information. Always include the name and number of a contact person. Provide multi-lingual surveys where appropriate. Follow these same guidelines for oral surveys and polls. For oral surveys, you may want to provide a business card to the interviewee when your discussion is over

3. **Distribute the surveys and questionnaires.** As we mentioned earlier, you may distribute written surveys in person or via mail. You may also leave them for people to pick up after a meeting; or you may decide to distribute them by hand to peoples' homes. If people will need to mail the survey, consider including pre-stamped, pre-addressed envelopes.

   If you are seeking out specific information, you may want to distribute the surveys to a representative sample of the community. In some cases, you may want to do a "blanket" distribution to all homes and businesses within a certain distance of the facility.

   If you choose to do an oral survey, follow the information in the section on "Community Interviews" earlier in this Chapter.

   For telephone polls, you will have to decide whom to call and whether you will address the poll to a random sample, a representative sample, or a targeted segment of the community. If you are attempting one of the latter two options, you may want to contact community leaders and local officials to determine the demographics of the area.

When to Use

Use surveys and telephone polls when:

- you are seeking specific information from a targeted community or audience; or
- you are trying to provide people with a means of giving anonymous feedback during the permitting process.

Accompanying Activities

Always include the name and number of a **contact person** on a survey or a questionnaire. Surveys and questionnaires can be useful for gathering general impressions about specific permitting activities or public participation events, such as **availability sessions** or **public hearings**. They may also complement **community interviews** by allowing people, who may have been uncomfortable or pressured during the interview, to submit anonymous thoughts and comments.

Advantages and Limitations

Written surveys and questionnaires are relatively inexpensive and simple ways to solicit information. They can provide feedback loops for many permitting activities and some people may be more comfortable with the anonymity that written surveys can ensure. Oral surveys and polls allow you to interact directly with members of the public and to solicit their immediate feedback on permitting issues.

Surveys conducted in-person can be very time-consuming and expensive. Written surveys may not present viewpoints that are representative of the community because people who fill out the surveys tend to have stronger feelings in favor, or against, the proposed activity. Surveys conducted by mail have the additional weaknesses of undependable response rates and questionable response quality.

Checklist for Surveys and Telephone Polls

_ Determine what type of information is needed

_ Determine what format will work best for gathering the information

Written surveys:

_ Determine if you will need to provide the survey in a multilingual format or you will need to provide for other special communication needs in the community (e.g., persons who are illiterate)

_ Prepare interview questions

_ Design the survey sheet; leave adequate writing room and make sure the instructions are clear and easy to understand

_ Provide the name of a contact person on the survey

_ Decide how you will distribute the survey, based on the public participation plan, community interviews, and background information on the facility and the community

Telephone polls or an oral surveys:

_ Identify a team to conduct the survey or the telephone poll

_ Identify how you will target the polling group

_ Consult a polling firm or a consultant if you are conducting your survey with a representative sample

_ Determine if you need to conduct a multilingual poll or survey and whether there are other special communication needs in the community (e.g., persons who are hearing impaired)

_ Prepare the questions for the poll or survey

_ Write a script you can use to give background information to people before the questions

_ When you conduct the survey, provide the name of a contact person, either over the phone, or by handing out business cards in person

Contact Persons/Offices

Regulatory Requirements

EPA regulations require the permitting agency to designate a contact office in most public notices. This requirement applies to draft permits, notices of intent to deny a permit, and modifications initiated by the permitting agency (§§ 124.10(d) and 270.41), as well as to the notice of application submittal (§ 124.32(b)). In these cases, the permitting agency will also provide a contact for the permit applicant. When a permit applicant holds a pre-application meeting under § 124.31, the applicant must provide public notice that includes a contact person for the facility. Similarly, the facility must provide public notice, including a contact at the agency and the facility, when requesting a Class 2 or 3 permit modification (§ 270.42 (b) and (c)). Permitting agencies must also provide contacts and telephone numbers (for the facility and the agency) during the trial burn stage at permitted and interim status combustion facilities (§ 270.62(b) and (d); 270.66(d)(3) and (g)).

Description of Activity

The contact person is a designated staff member who is responsible for responding to questions and inquiries from the public and the media. Some organizations may want to consider distributing lists of contact persons who are responsible for answering questions in certain topic areas.

Level of Effort

The amount of time that the contact person spends responding to citizen concerns and questions will depend on the level of community interest in a facility's permit or corrective action activities. A contact person may spend a few hours a day responding to citizen inquiries if there is high to moderate interest in the facility's RCRA activities.

How to Conduct the Activity

For each permit or corrective action, designate a contact who will respond to citizens' requests for information, answer their questions, and address their concerns on any aspect of the permit or cleanup process. Although permitting agencies are only required to designate a contact office, specifying a person and keeping the same person as the contact throughout the process may engender more public trust and confidence.

When a contact person is assigned:

1. **Send out a news release** announcing the contact person to all local newspapers, radio stations, and television stations. Include the contact person's telephone number and mailing address in all news releases, fact sheets, and mailings. Include in publications a self-mailer, which can be a separate flyer or a designated cut-a-way section of the fact sheet that is addressed to the contact person and leaves room for interested people to request more information or

write their comments.

2. **Give the name, address, and phone number of the contact person to all involved staff in your organization and other stakeholders.** Let staff members know that the contact person may be approached for information and that your staff should coordinate the release of information with the contact person. Inform other stakeholders that the contact person will be available for questions and information-sharing.

3. **Keep a log book** of all citizen requests and comments received by the contact person, and how each one was handled. This will help to assure that incoming requests are not filed and forgotten. This log book also provides another record of issues and concerns.

When to Use

A contact person should be designated for every facility at the outset of the RCRA process.

Accompanying Activities

Designation of the contact person should be announced in **news releases** and **fact sheets**, and **public notices**. The contact person also should be responsible for making sure that the facility's **information repository**, if required, is kept up-to-date.

Advantages and Limitations

A contact person can assure citizens that your organization is actively listening to their concerns and can provide the community with consistent information from a reliable source.

The contact person may not have the authority to resolve all of the concerns raised by citizens and other stakeholders; his or her role may be limited to providing information and facilitating communication between your staff, citizens, and other stakeholders. If, for any reason, the identity of the contact person changes, it is important to inform the community, media contacts, and other stakeholders about this change quickly. You should designate a replacement as soon as possible.

Checklist for Contact Persons

_ Designate a contact person for the facility: ______________________

_ Notify media of the name, mailing address, and phone number of the contact person

_ Inform your staff and other stakeholders who are involved with the facility

_ Have contact person maintain a log book of all stakeholder requests and comments received

Telephone Contacts

Regulatory Requirements

None.

Description of Activity

Telephone contacts can be used to gather information about the community and to update State and local officials and other interested parties on the status of permitting or corrective action activities. See the section on "Surveys and Telephone Polls" earlier in this Chapter for related activities.

Level of Effort

Telephone contacts can be a time-intensive activity, depending on the nature of the call. Allow several hours per call when gathering information.

How to Conduct the Activity

In making telephone contacts:

1. **Know exactly what information to request or give out.** Plan carefully what you want to say or what information you would like to obtain from these individuals. Refer to the section on "Community Interviews" earlier in this chapter for information on how to conduct these interviews.

2. **Conduct telephone calls and take notes for your files.**

When to Use

Telephone contacts may be used:

- In the early stages of the RCRA actions to identify key officials, citizens, and other stakeholders who have a high interest in the facility;
- To gather information when face-to-face community interviews are not possible;
- When new and time-sensitive material becomes available; and
- When there is a high level of community interest in the facility, and it is important to keep key players informed.

Accompanying Activities

Telephone contacts are usually made to arrange or conduct community interviews, develop **mailing lists** and arrange for other public participation activities such as **news briefings**, **informal meetings**, and **presentations**.

Advantages and

Telephone calls can be an inexpensive and expedient method of acquiring

Limitations

initial information about the facility. Once the initial information has been gathered, telephone contacts are a quick means of informing key people about facility activities and for monitoring any shifts in community concerns.

Residents initially may feel uncomfortable discussing their concerns and perceptions over the telephone with a stranger. Once residents have met your staff in person, however, they may be more open and willing to discuss their concerns during follow-up telephone calls.

Checklist for Telephone Contacts

Initial telephone contacts:

- __ Identify individuals to contact:
    - __ State officials
    - __ Local officials
    - __ Regulatory agency officials
    - __ Concerned citizens
    - __ Media
    - __ Environmental groups, civic organizations, public interest groups
- __ Prepare information to discuss on telephone
    - __ Prepare questions for individuals to answer
    - __ Prepare information that you can give them
- __ Keep a log book of information received/given

On-going contacts:

- __ Maintain up-to-date telephone contact list
- __ Prepare information to discuss on telephone before each set of calls

Telephone Hotlines

Regulatory Requirements

None.

Description of Activity

A hotline is a toll-free (or local) telephone number people can call to ask questions and obtain information promptly about RCRA activities. Some hotlines allow people to order documents.

Level of Effort

The amount of time spent on the telephone hotline responding to citizen concerns and questions will depend on the level of concern the community has regarding the facility's permit or corrective action activities. You may spend several hours a day responding to inquiries if there is high to moderate interest in the facility's RCRA activities.

How to Conduct the Activity

To install a telephone hotline, either as a semi-permanent fixture (available throughout the permit review or corrective action process) or as a temporary measure (installed at the time of major community feedback, such as the public comment period):

1. **Assign one or more staff members** to handle the hotline calls. Consider installing more than one line to minimize busy signals. If staff are not available throughout the day, install an answering machine directing people to leave their name, number, and brief statement of concern, and informing them that someone in your organization will return their call promptly. If a voice mail system is available, provide information on commonly requested information such as meeting dates and locations and the permit status. Check the answering machine for messages at least once a day. If the level of concern is high, check for messages more frequently.

2. **Announce the telephone hotline** in news releases to local newspapers, radio stations, and television stations, and in fact sheets, publications, and public notices.

3. **Keep a record of each question**, when it was received, from whom, and how and when it was answered. All questions and inquiries should be responded to promptly (within 24 hours) if an answer cannot be given immediately. Be diligent in following up requests for information and tracking down accurate, direct responses.

When to Use

A telephone hotline may be used:

- When community interest or concern is moderate to high;

- When emergencies or unexpected events occur, or when a situation is changing rapidly;
- When there is a high potential for complaints (e.g., about dust or noise);
- Where literacy rates are low and written information must be supplemented; and
- Where the community is isolated and has little opportunity for face-to-face contact with project staff (e.g., rural areas, areas far from Regional offices).

Accompanying Activities

The hotline can supplement all other public participation activities.

Advantages and Limitations

A hotline can provide interested people with a relatively quick means of expressing their concerns directly to your organization and getting their questions answered. This quick response can help reassure callers that their concerns are heard. A telephone hotline also can help monitor community concerns. A sudden increase in calls could indicate that additional public participation efforts may be warranted.

You must respond quickly to questions or concerns; otherwise callers may become frustrated. If the number of calls is large, responding quickly to each inquiry could prove burdensome to your staff. Furthermore, dialing a hotline number and receiving a recorded message could irritate or alienate some members of the public.

Checklist for Telephone Hotlines

- _ Determine need for telephone hotline
- _ Identify staff responsible for answering calls
  - _ Have staff maintain a log of all calls and responses
- _ Install telephone hotlines/answering machines
- _ Notify interested people about the hotline
  - _ Public notice
  - _ Fact sheet
  - _ Mailing to facility mailing list
- _ Coordinate staffing of hotline
- _ Follow-up on calls to hotline

On-Scene Information Offices

Regulatory Requirements

None.

Description of Activity

An on-scene information office is a trailer, small building, or office space on or near the facility site, depending on what is more convenient and accessible for the affected community. The office is staffed by a full-time or part-time person(s) who responds to inquiries and prepares information releases.

Level of Effort

An on-scene information office is a time-intensive activity. You may have staff in the office up to 40 hours a week. Short Cut: Hire a contractor to staff the office; however, always ensure that a representative is there for some specified period during the week.

How to Conduct the Activity

To provide an on-scene information office:

1. **Establish the office.** You may have to rent a trailer, arrange with the owner of the facility to designate space in the facility, or rent office space in a town to be used as an office and launching area. If you will be establishing the office off-site, then you should find an area in the vicinity of the facility or in the nearest town or village.

2. **Install a telephone** and an answering machine to respond to inquiries and publicize the number in local newspapers and your public participation publications.

3. **Assign someone to staff the office.** Establish **regular** hours, including some during the weekend and weekday evenings. Publicize the trailer's hours and the services it offers.

4. **Equip the office with the same materials normally contained in an information repository, if possible.** At a minimum, include key documents and summaries of other documents that are not available. Provide a copy machine so that the public can make copies of documents in the information repository.

When to Use

An on-scene information office may be used:

- When community interest or concern is high;

- During corrective actions;
- When cleanup involves complex technologies or processes;
- When the community perceives a high level of risk to health;
- When activities may disrupt the area surrounding the facility (e.g., traffic patterns); and
- When the area near the facility is densely populated.

Accompanying Activities

The on-scene staff person can conduct **meetings** and **question and answer sessions** to inform citizens about the status of the corrective actions or other facility operations. Staff may also prepare and distribute **fact sheets** and **newsletters** to local residents, conduct **facility tours**, and support the **telephone hotline**. With the **telephone contacts** they make, they can add to and update **mailing lists** and revise **public participation plans**. An on-scene information office may also be a good location for the **information repository**.

Individuals staffing an on-scene information office for an extended period of time will necessarily have a special role in the community. Involvement in other public participation activities may represent a large part of their function. In addition to distributing information to local residents, on-site staff may be responsible for maintaining data bases of residents' addresses, the status of access to property, and a daily log of inquiries. It is important that on-site staff monitor public perceptions and concerns daily. On-scene staff often can make useful recommendations regarding stakeholder concerns. Finally and perhaps most importantly, on-site staff members will frequently serve as a liaison with the public.

Advantages and Limitations

An on-scene information office can be an effective activity for ensuring that other stakeholders are adequately informed about permitting activities and that their concerns are addressed immediately.

An information office can be very expensive since it requires, at a minimum, a part-time staff person and a telephone. Hence, it should be used only when community concerns are currently high or may be high in the future.

Checklist for On-Scene Information Offices

_ Determine need for an on-scene information office

_ Identify staff to work in information office

_ Rent a trailer or office space for the information office

_ Equip the office with a telephone, office equipment (i.e., copier), and all materials contained in an information repository.

_ Notify interested people of availability of on-scene information office

    _ Public Notice

    _ Fact sheet

    _ Mailing to facility mailing list

_ Maintain on-scene information office

    _ Have staff conduct the following:

        _ Maintain the mailing list
        _ Review media coverage
        _ Respond to calls from citizens and stakeholder groups

Question and Answer Sessions

Regulatory Requirements

None.

Description of Activity

A question and answer session makes knowledgeable staff available to stakeholders to discuss permitting and corrective action issues. Question and answer sessions typically accompany a presentation, briefing, or meeting. Anyone at the event who needs more information will have the opportunity to speak with officials after the event. These sessions can be informal or formal.

Level of Effort

Answering questions will add a small amount of staff time to other public participation activities.

How to Conduct the Activity

To conduct a question and answer session:

1. **Announce that someone will be available for questions after the event.** Pick an area where people can meet a knowledgeable staff person for questions and answers.

2. **Be responsive, candid, and clear.** Ensure that all questions are answered. If staff cannot answer the question on the spot, they should not be afraid to say “I don’t know” and offer to answer the question after getting more information. The staffer should write down the question, discuss it with other staff, and respond -- as soon as possible -- by phone or letter. Try to avoid using jargon that people will not understand.

3. **Consider brainstorming ahead of time to develop potential questions and to prepare responses.**

When to Use

Question and answer sessions are appropriate whenever people at an event need more information or the presenting organization needs more feedback. Question and answer sessions are also appropriate when people may feel more comfortable asking questions in a one-on-one situation. If a particular issue, raised by one person at a meeting, is preventing other issues from making the floor at a meeting, you may want to offer to discuss the issue one-on-one after the meeting.

Accompanying Activities

Hold question and answer sessions after **exhibits**, **presentations**, **meetings**, **facility tours**, or on **observation decks**. Some events, such as **open**

houses, have built-in question and answer sessions. In responding to inquiries, you may want to provide written information, such as **fact sheets**, or refer the questioner to a **contact person**.

Advantages and Limitations

Question and answer sessions provide direct communication between your organization and citizens. They are a useful, easy, and inexpensive way of providing one-on-one explanations in an informal setting. One-on-one discussions may attract people who are intimidated from raising issues during a meeting. Such interactions may also increase public comfort and trust in your organization.

Citizens may not be pleased if you cannot answer a question on the spot; they will certainly not be pleased if your response is slow. Be sure to respond to all unanswered questions as soon as you can.

Checklist for Question and Answer Sessions

_ Brainstorm potential questions and prepare responses

_ If you are planning a Q&A session after a meeting or other event, let people know where it will be held by mentioning it during the meeting

_ Be candid and avoid jargon in your answers. If you cannot answer a question, take the questioner’s phone number or address and respond to the question as soon as you can.

Information Tables

Regulatory Requirements

None.

Description of Activity

Information tables are simple public participation tools that you can use to interact with interested stakeholders. An information table consists of a table or booth set up at a meeting, hearing, or other event (e.g., a community fair or civic gathering). It is staffed by at least one member of your organization who is available to answer questions. Pamphlets, fact sheets, and brochures are available on the table, along with a sign-up sheet for interested people to add their names to the facility mailing list.

Level of Effort

This activity is time-intensive, with at least one staff person staying at the table during the entire event. The information table is less of a drain on other resources since the materials should already be available.

How to Conduct the Activity

To prepare for an information table:

1. **Learn from community interviews which local events are most frequented by citizens during the year.**

2. **Decide whether the table will be sufficient to address community concerns.** The information table may not be effective in highly-charged environments.

3. **Set up the table.** Include important fact sheets, answers to common questions, general descriptions of the RCRA program, contact names, and hotline numbers. Allow people to sign up for the facility mailing list. Use **exhibits** if appropriate.

When to Use

Use information tables when:

- You need to provide a feedback loop after a public event;
- The RCRA activity has raised significant public interest or technical issues may raise many questions among the public;
- You are gathering names for the facility mailing list;
- A local event, where tables are available, will attract a significant portion of the community.

Information tables may be useful in connection with a **public hearing** or

Accompanying Activities

meeting. EPA recommends using information tables as part of **availability sessions** and **open houses**. **Fact sheets**, **newsletters**, **project reports** and other information should be available at the table. People who come to the table should have the opportunity to sign up for the **mailing list**. **Exhibits** and diagrams can be helpful for explaining the process or technical issues. Provide the name of a **contact person** (or a list of contact people) for interested people to take with them. Information tables provide a good opportunity to distribute questionnaires and **surveys**.

Advantages and Limitations

An information table can provide a feedback loop that complements other events in the permitting process. Information tables at availability sessions and open houses can provide a comfortable way for people to approach project staff and ask questions. At county fairs or other events, they allow project staff to interact with the community and spread information about important permitting activities.

People who approach the information table may ask questions that staff cannot answer. To avoid any negative reactions, staff should record the question and contact the person with an answer by a certain date.

Checklist for Information Tables

(As appropriate):

__ Determine a location for the information table

- __ Facility name, location ___________________________________
- __ Contact person at location ___________________________________

__ Confirm availability of location for information tables

__ Discuss guidelines for information tables with the event planner

__ Assign staff to cover the information table

__ Collect materials for the information table

- __ Table and chairs
- __ Table skirt
- __ A sign that identifies your organization
- __ Exhibits, time-lines, surveys
- __ Mailing list sign-up sheet
- __ Name tags for your staff
- __ Pens and notepads
- __ Fact sheets, reports, pamphlets, and other documents that people can take
- __ Business cards with the name of a contact person at your organization
- __ Reference documents for your use

__ Keep a record of comments and questions for your files

Informal Meetings with Other Stakeholders

Regulatory Requirements

None. (This type of informal meeting is distinct from the pre-application meeting required under § 124.31 (and discussed under "Public Meetings" in this Chapter) which EPA has stated should be an informal discussion open to the public).

Description of Activity

Informal meetings are meetings your organization holds with individual stakeholder groups that have particular interest in a permitting activity. These meetings are held in an informal setting, such as a resident's home or a local meeting place. Informal meetings allow interested citizens and local officials to discuss issues and concerns. Staff responsible for the facility receive first-hand information from interested community members, special interest groups, and elected officials, while citizens have the opportunity to ask questions and explore topics of interest regarding the facility in question.

Public meetings, which are distinct from **public hearings**, are a special form of informal meetings where the entire community can participate. Public meetings allow all interested parties to discuss issues regarding the facility with each other as well as the regulatory agency. Public meetings can be especially useful for allowing discussion before a public hearing and can be scheduled immediately before the hearing. Comments made during a public meeting do not become part of the official administrative record as they do during a hearing. (See the sections on "Public Meetings" and "Public Hearings" in this Chapter for more details.)

Level of Effort

An informal meeting will take two to three days to plan and conduct. This includes about three hours to set up and schedule the meeting, five hours for preparation, four hours to conduct the meeting, and four hours to follow up on any issues raised during the meeting.

How to Conduct the Activity

To conduct informal meetings:

1. **Identify interested citizens and officials.** Contact each group and local agency that is directly affected by the facility, or contact individuals who have expressed concern regarding the facility. Interested citizen/public interest groups may also want to contact the agency or the facility to set up a meeting. Offer to discuss the permit or corrective action plans at a convenient time, taking into consideration the following elements that will affect levels of community interest and concern: for facilities at which emergency

actions are required, schedule the meeting after the agency has accurate information to share with the participants; for a corrective action, determine first when community concerns may be highest and schedule meetings accordingly. For instance, it may be appropriate to hold an informal meeting when the risk assessment report is released. Holding informal meetings early in the permit process can help prevent potentially volatile situations from developing by providing citizens with one-on-one attention.

2. **Limit attendance.** To increase effectiveness, restrict attendance to between five and 20 individuals or specify attendance by invitation only. The larger the group, the less likely it is that some people will candidly express their concerns. It is difficult to establish rapport with individuals in a large group. If a greater number of stakeholders are interested, you should schedule additional small meetings. If a greater number of participants appears than are expected at an informal meeting, divide the group into smaller groups to allow more one-on-one discussion to take place.

3. **Select a meeting date, time, and place convenient to attendants.** The meeting place should have chairs that can be arranged into a circle, or some other informal setting conducive to two-way communication. A private home, public library meeting room, community center, or church hall may be more likely to promote an exchange of ideas than a large or formal public hall. When scheduling the meeting, make sure that the date and time do not conflict with other public meetings that citizens may want to attend, such as town council meetings, or with holidays or other special occasions. Permitting agencies should be sure that the meeting location does not conflict with state "sunshine laws." In selecting a public meeting place, be attentive to the special needs of handicapped individuals (e.g., access ramps or elevators). Be aware that meetings will frequently have to be scheduled during evening hours to accommodate work schedules.

4. **Begin the meeting with a brief overview.** This short presentation should include a summary of the permit review schedule and how stakeholders can be involved in the decision. These opening remarks should be kept brief and informal (no more than a few minutes) to allow maximum opportunity for open discussion with meeting attenders. Cover whatever topics the public is interested in discussing, these may include:

   - Extent of the activity;
   - Safety and health implications;
   - Factors that might speed up or delay the regulatory and technical process; and

- How community concerns are considered in making decisions on permits and corrective actions.

5. **Identify the regulatory decision-makers** (major agencies and individuals responsible for enacting and enforcing RCRA regulations.) Citizens and other stakeholders will then know where to direct further questions or voice new ideas or suggestions.

6. **Gear the discussion to the audience.** Be sensitive to the level of familiarity that the citizens have with the more technical aspects of the activities discussed.

7. **Listen and take notes.** Find out what the meeting attendees want done. Some concerns may be addressed by making minor changes in a proposed action. Discuss the possibility for accommodating these concerns or explain the reasons why citizen requests appear to be unworkable or conflict with program or legal requirements.

8. **Promptly follow-up on any major concerns.** Stay in touch with the groups and contact any new groups that have formed, so that new or increasing concerns can be dealt with before problems develop.

9. **Write up brief minutes for your files.**

When to Use

Informal meetings can be used:

- When there is widely varying level of knowledge among community members;
- When the level of tension is high and large meetings may not be appropriate;
- When the community needs more personal contact to have trust in your organization or the process;
- When groups want to discuss specific issues in which the community as a whole isn't interested.

Accompanying Activities

Community interviews or calls to **telephone contacts** usually precede these meetings, since it is during these interviews that concerned citizens groups are identified and contacted. Possible meeting locations also can be identified during the community interviews.

Distributing **fact sheets** at these meetings also may be appropriate, depending on when they are held.

Advantages and

The primary benefit of informal meetings is that they allow two-way interaction between citizens, local officials, the permitting agency, and the

Limitations

facility. Not only will citizens be informed about the developments, but the facility owner/operator and officials responsible for the site can learn how citizens view the site.

Informal meetings also add a personal dimension to what might otherwise be treated as a purely technical problem. Informal meetings offer citizens, facility staff, and officials a chance to increase their familiarity with how the process works, increase awareness of each other's point of view, and actively promote public participation. Informal meetings also may diffuse any tension between stakeholders.

Some groups may perceive your efforts to restrict the number of attenders as a "divide and conquer" tactic to prevent large groups from exerting influence on potential actions and to exclude certain individuals or groups. One way to prevent this perception is to hold informal meetings with those organizations who express concern about being left out of the process.

Irate groups or individuals also may accuse your staff of telling different stories to different groups at these small meetings. You can avoid this criticism by inviting a cross-section of interests to each small meeting or by having a large public meeting. Alternatively, you can keep a written record of the informal discussions and make it available upon request or include it in the information repository. A record of discussions is required for any legally-required meetings held during the public comment period.

Checklist for Informal Meetings with Other Stakeholders

_ Determine purpose of meeting

  _ Determine number of attenders: ______________________

_ Determine location(s) for meeting (complete for each available facility)

  _ Facility name, location ______________________________

  _ Contact person at facility ____________________________

  _ Phone number ___________________________________

  _ Occupancy size __________________________________

  _ Handicap accessibility ______________________________

  _ Features:
    __Restrooms
    __Public telephones
    __Adequate parking

_ Determine date, time of meeting:

  Date:_______________________________________

  Time:_______________________________________

_ Identify interested citizens and officials

  _ Contact citizen groups, invite a representative to the meeting

_ Prepare meeting agenda

  _ Overview of project

  _ Identify decision-makers

  _ Allow time for discussion, question/answers

_ Follow-up

Public Meetings

Regulatory Requirements

The pre-application meeting that a permit applicant is required to conduct under § 124.31 is a type of public meeting, though it need not be restricted to the type of meetings described in this section. In some cases, different meeting formats will fulfill the requirements (see "The Pre-Application Meeting" in Chapter 3). Permit holders are also required to hold public meetings when requesting a class 2 or 3 permit modification under § 270.42(b) or (c).

Description of Activity

Public meetings are not public hearings. **Public hearings** are regulatory requirements that provide a formal opportunity for the public to present comments and oral testimony on a proposed agency action. Public meetings, on the other hand, are less formal: anyone can attend, there are no formal time limits on statements, and the permitting agency and/or the facility usually answers questions. The purpose of the meeting is to share information and discuss issues, not to make decisions. Due to their openness and flexibility, public meetings are preferable to hearings as a forum for discussing complex or detailed issues.

Public meetings sometimes complement public hearings. Public meetings can be especially useful for allowing discussion before a public hearing and can be scheduled immediately before the hearing (**workshops**, see below, can also fulfill this need). Comments made during a public meeting do <u>not</u> become part of the official administrative record as they do during a hearing. Public meetings provide two-way communication, with community members asking questions and the permitting agency providing responses. Unlike the activity in the section above ("Informal Meetings with Other Stakeholders"), public meetings are open to everyone.

While public meetings are usually called and conducted by the permitting agency (e.g., before public hearings) or the facility (e.g., during permit modification procedures), it is common for civic, environmental, and community organizations to hold public meetings where ideas can be discussed freely.

EPA's regulations require several specific public meetings. Section 124.31 calls on prospective permit applicants to announce and hold an informal public meeting prior to submitting a permit application. The permitting agency is not required to attend the meeting. See Chapter 3 for more information about the pre-application meeting. Permittees are required to hold public meetings when requesting a class 2 or 3 modification under § 270.42.

Level of Effort

While a public meeting should require less planning than a public hearing, it may take several days to a week to arrange the location and logistics. See the "Public Notice" section above in this chapter to determine the resources you will need to announce the meeting. Other activities include preparing and copying materials for distribution. You may be able to distribute some of the same materials at the meeting and the public hearing (if applicable).

How to Conduct the Activity

To hold a public meeting, you will follow many of the same steps as for a public hearing (see Chapter 3 for specific guidance regarding pre-application meetings under § 124.31):

1. **Anticipate the audience and the issues of concern.** Identify the audience's objectives, expectations, and desired results. With this information you will know what topics to spend time on and what materials and exhibits to provide. If a part of your audience does not speak English, arrange for a translator.

2. **Schedule the meeting location and time** so that citizens (particularly handicapped individuals) have easy access. Ensure the availability of sufficient seating, microphones, lighting, and recorders. Hold the meeting at a time and place that will accommodate the majority of concerned citizens.

3. **Announce the meeting** at least 30 days before the meeting date. Provide notice of the hearing in local newspapers, broadcast media, signs, and mailings to interested citizens (you can find requirements for pre-application meetings in § 124.31(d)). Choose communication methods that will give all segments of the community an equal opportunity to participate. Use multilingual notices where appropriate. Make follow-up phone calls to interested parties to ensure that the notice has been received. Provide the name of a contact person.

4. **Make relevant documents available for public review.** If you are a permittee requesting a class 2 or 3 permit modification, you must place a copy of the modification request and supporting documents in a location that is publicly accessible and in the vicinity of the facility (see § 270.42(b)(3) and (c)(3)). Announce the location in the public notice for the meeting. For other public meetings, you should consider making important documents available prior to the meeting.

5. **Provide an opportunity for people to submit written questions and comments.** Not all individuals will want, or be able, to attend the meeting. Announce in public notices and mailings that written comments and questions can be submitted to the contact person. You may want to raise some of these written comments and questions at the public meeting.

6. **Post a sign-up sheet** so that attendees can voluntarily provide their names and addresses. If you are a permit applicant holding a pre-application meeting under § 124.31, you can use this sheet to produce

and submit an attendee list as part of your part B application (as required under § 124.31© and § 270.14(b)(22)). The permitting agency will use the attendee list to help generate the facility mailing list.

7. **Take notes** about the major issues of concern and **prepare a summary of all oral and written comments.** If you are a permit applicant holding a pre-application meeting under § 124.31, you must submit a summary of the meeting as part of your part B permit application (as required under § 124.31© and § 270.14(b)(22)). For other public meetings, you should make a summary available for public review and announce where it is available.

When to Use

Some permitting agencies have had success in holding public meetings prior to a public hearing. Public hearings are often "staged" events with little opportunity for new input or discussion. Some participants have criticized them as opportunities for grandstanding. Public meetings, on the other hand, allow interested parties to ask questions and raise issues in an informal setting. A public meeting can provide a useful means of two-way communication at any significant stage during the permitting or corrective action process.

If you are a permit applicant required to hold a pre-application meeting under § 124.31, the public meeting format is one option you can use. Refer to the discussion in Chapter 3 for more information.

Accompanying Activities

Provide **public notice** of the meeting and designate a **contact person**. **Fact sheets** and **exhibits** can inform people about permitting issues at public meetings. You may also consider establishing an **information table** where people who may feel uneasy speaking during the meeting can ask questions and pick up materials. Another option is to make your staff available after in the meeting, in the same manner as an **availability session** or an **open house**. **Information repositories** can complement the meeting by making important documents available for public review.

Advantages and Limitations

A public meeting provides a forum where interested people can ask questions and discuss issues outside of the formality of a public hearing. They are flexible tools that are open to everyone.

Some citizens may be reluctant to speak up at public meetings. You can address this concern by providing one-on-one access to your staff via an information table or an open house, or by scheduling informal meetings. Public meetings, like public hearings, could become adversarial.

Checklist for Public Meetings

(As applicable):

__ Determine location for public meeting

- __ Facility name, location ______________________________
- __ Contact person at location ______________________________
- __ Phone number ______________________________
- __ Occupancy size ______________________________
- __ Handicap accessibility ______________________________
- __ Features:
  - __ Restrooms
  - __ Public telephones
  - __ Adequate parking
  - __ Security

__ Determine date, time of public meeting:

Date: ______________________________

Time: ______________________________

__ Confirm availability at location (if location is not available, determine new location or new date)

__ Announce the public meeting. (Pre-application meetings under § 124.31 must be announced through a display advertizement in a newspaper of general circulation, over a broadcast medium, and through a sign posted on or near the site of the facility or proposed facility).

- __ Contact local officials
- __ Notify key agencies and other stakeholder groups

__ Provide an opportunity, in the notice, for people to submit written comments

__ Determine whether a translator is needed

__ Determine presentation requirements (depending upon the specific requirements of your presentation, some of these items may be optional)

- __ Electrical outlets
- __ Extension cords

Checklist for Public Meetings (continued)

_ Accessible lighting control panel

_ Podium

_ Stage

_ Table(s) and chairs for panel

_ Table skirt

_ Sign-up sheet for the mailing list. (If you are conducting a pre-application meeting under § 124.31, you are required to provide a sign-up sheet or another means for people to add their names to the facility mailing list. You must provide the sheet to the permitting agency as a component of your part B permit application).

_ Water pitcher and glasses

_ Sound system

_ Microphones (stand, tabletop)

_ Cables

_ Speakers

_ Technician/engineers available for hearing

_ Visual aids

_ Slides

_ Slide projector

_ Extra projector bulbs

_ Flip chart

_ Flip chart markers

_ Overhead transparencies

_ Overhead machine

_ VCR and monitor

_ Screen

_ Table for projection equipment

Checklist for Public Meetings (continued)

- _ Security personnel (if necessary)
- _ Table for meeting recorder (who will produce a meeting transcript or summary)
- _ Registration table
- _ Registration cards
- _ Writing pens
- _ Signs
- _ Miscellaneous supplies:
- _ Scissors
- _ Tape (masking, transparent)
- _ Thumbtacks
- _ Public information materials (fact sheets, etc.)

_ Prepare meeting agenda. (Facility owners/operators conducting a pre-application meeting under § 124.31 should refer to chapter 3 of this manual for information on the subjects they should cover during the meeting).

_ Arrange contingency planning. Decide what to do if:
- more people show up than capacity
- equipment malfunctions

_ Prepare the meeting summary/transcript and make it available to the public. (Facility owners/operators conducting a pre-application meeting under § 124.31 must provide the summary to the permitting agency as a component of the part B application).

Public Hearings

Regulatory Requirements

Public hearings are required if requested (§ 124.11) by the public during the draft permit stage, during an agency-initiated modification under § 270.41, or a Class 3 permit modification under § 270.42(c)(6). The agency will also hold a public hearing at the draft permit stage when there is a high level of public interest (based on requests), or when the agency thinks that the hearing might clarify relevant issues (§ 124.12). The agency will also hold a hearing if these conditions apply during closure or post-closure at interim status facilities (§§ 265.112(d)(4) and 265.118(f)).

Description of Activity

Public hearings provide an opportunity for the public to provide formal comments and oral testimony on proposed agency actions. Occasionally the agency will present introductory information prior to receiving comments. All testimony received becomes part of the public record.

In contrast to a public hearing, a **public meeting** (see above in this Chapter) is intended to provide two-way discussion and is not always recorded for the public record.

Permittees and facility staff have no official role during a hearing. The hearing is a regulatory requirement of the permitting agency.

Level of Effort

Several days to a week may be required to arrange for a public hearing, including the location, hearing logistics, and agenda preparation. Other activities include preparing the notice for the hearing, conducting a dry-run of the hearing, and preparing and copying materials.

How to Conduct the Activity

To conduct public hearings:

1. **Anticipate the audience and the issues of concern.** Identify the audience's objectives, expectations, and desired results. With this information you can determine whether the hearing is likely to be confrontational, or if the audience will need more detailed information about a permit or corrective action. If a part of your audience does not speak English, arrange for a translator.

2. **Schedule the hearing location and time** so that citizens (particularly handicapped individuals) have easy access. Identify and follow any procedures established by the local and state governments for public hearings. Ensure the availability of sufficient seating, microphones, lighting, and recorders. Hold the hearing at a time and place that will accommodate the majority of concerned citizens.

3. **Arrange for a court reporter** to record and prepare a transcript of

the hearing.

4. **Announce the public hearing** at least 30 days before the hearing date. Provide notice of the hearing in local newspapers and mailings to interested citizens. Under § 124.10(b), you may combine the hearing notice with the draft permit notice. Make follow-up phone calls to interested parties to ensure that the notice has been received.

5. **Provide an opportunity for people to submit written comments.** Not all individuals will want to provide oral testimony. Publicize where written comments can be submitted and how they will be reviewed.

6. **Prepare a transcript of all oral and written comments.** Announce where the transcript will be available for public review.

The following are general tips on conducting public hearings:

Be clear and up front with meeting format and logistics. Public hearings are very limited in the amount of information that is exchanged and the extent to which responses are given. Participants should not expect the question and answer format found in public meetings.

Establish meeting format. Public hearings should be managed by a hearings officer or moderator, whose responsibility it is to ensure that all comments are taken for the public record.

- Establish a speakers list. A moderator should develop a list of speakers from the list of respondents to public notices (e.g., those responding to a notice saying, "those wishing to be placed on the list of commenters should contact ...") and/or by asking those wishing to speak to identify themselves on a sign-up list on the way into the hearing. While limiting commenters to a pre-developed list may be inappropriate, such lists serve as valuable management tools in bringing forward commenters in an orderly and expeditious manner.

- Establish time limits for commenters. A moderator should establish a set time limit for an individual to make comments. Typically the limit is five minutes or less. Those wishing to make more detailed comments should be encouraged to submit their comments in writing.

- Establish time limits (if any) for the hearing. Based on your speakers list, and assuming a limited speaking time for individual commenters, the moderator may establish time limits (if any) on the hearing. Most hearings last between two and five hours. However, for very controversial topics, public hearings have been known to extend over a period of days.

- Interacting with commenters. Because comments become part of the public record, the moderator should ask all commenters to give their names and addresses. If there is doubt about spelling, the moderator should ask the commenters to spell names or street names. In cases where there may be litigation, it is common practice to further request that anyone legally representing any party as part of the permit process or decision identify that fact.

When giving the floor to a commenter, the moderator should also note the person's name, so that he/she can thank the commenters by name at the conclusion of the comment (e.g., "Thank you for those comments, Ms. Smith.").

- Speakers from the permitting agency. There are no set rules for who should participate or speak at a public hearing. In the spirit of the law, the participants from the agency should be those who will be most involved with making the actual decision -- that is, the permit writer, and senior staff who will weigh all information, including these public comments, prior to reaching a final decision. Speakers from the agency should be limited to explaining briefly the decision being made (e.g., "We are here to discuss a proposed modification to the facilities permit to conduct the following activities...").

When to Use

C When requested by a member of the public during a public comment period on a permit, closure, or corrective action. Once requested, hearings require a minimum 30-day advance notice.

C Public hearings are usually conducted during the public comment period following the issuance of a draft permit, major permit modification, or at the selection of a proposed corrective measure.

C Public hearings may be appropriate at other times during the process, especially if the level of community concern warrants a formal record of communication.

Accompanying Activities

Public notices distributed to the **mailing list** and published in local newspapers are used to announce hearings to the public. If a hearing is held to solicit comments on either a draft permit decision or proposed corrective measure, the agency must prepare a **response to comments**. The response to comments documents all submitted public comments and includes the agency's responses. An educational **workshop** or **public meeting** may be useful shortly before the public hearing to explain key issues of the proposed decision or corrective measure and respond to citizen concerns.

Advantages and Limitations

A hearing provides a record of communication so citizens can be sure that their concerns and ideas reach the permitting agency. Public hearings generally should not serve as the only forum for citizen input. They occur at the end of a process that should have provided earlier public access to information and opportunities for involvement. Earlier opportunities should answer most questions and arguments that are based on curiosity, emotion, sensationalism, or a lack of knowledge about the situation, thereby freeing the hearing for factually-based questions. Meet citizens' needs for information before a formal hearing with techniques such as fact sheets, small-group meetings, and one-on-one briefings.

The formality of a public hearing often creates an atmosphere of "us versus them." There may be little opportunity to interact with citizens. This may be frustrating to some; however, informal gatherings and question and answer sessions are often effective ways to interact with the public on an interpersonal level. A variety of informal techniques, ranging from talking to citizens groups to holding workshops, are discussed throughout this chapter.

Public hearings can easily become adversarial. One way to avoid hostility or confrontation is to make sure the community has had an opportunity to express concerns in a less formal setting prior to the hearing. More frequent contact with concerned citizens before a formal public hearing will reduce the likelihood of a confrontation.

Checklist for Public Hearings

(As appropriate):

__ Determine location(s) for public hearing

- __ Facility name, location ______________________________
- __ Contact person at facility ______________________________
- __ Phone number ______________________________
- __ Occupancy size ______________________________
- __ Handicap accessibility ______________________________
- __ Features:
  - __ Restrooms
  - __ Public telephones
  - __ Adequate parking
  - __ Security

__ Determine date, time of public hearing:

Date: ______________________________

Time: ______________________________

__ Confirm hearing facility availability (if facility not available, determine new facility or new hearing date)

__ Announce the public hearing through a public notice in at least one newspaper 30 days prior to the hearing

- __ Contact local officials
- __ Notify key agencies

__ Determine presentation requirements (depending upon the specific requirements of your presentation, some of these items may be optional)

- __ Electrical outlets
- __ Extension cords
- __ Accessible lighting control panel

Checklist for Public Hearings (continued)

_ Podium

_ Stage

_ Table(s) and chairs for panel

_ Table skirt

_ Water pitcher and glasses

_ Sound system

_ Microphones (stand, tabletop)

_ Cables

_ Speakers

_ Technician/engineers available for hearing

_ Visual aids

_ Slides

_ Slide projector

_ Extra projector bulbs

_ Flip chart

_ Flip chart markers

_ Overhead transparencies

_ Overhead machine

_ VCR and monitor

_ Screen

_ Table for projection equipment

_ Security personnel

Checklist for Public Hearings (continued)

  - _ Table for court reporter
  - _ Registration table
  - _ Registration cards
  - _ Writing pens
  - _ Signs
  - _ Miscellaneous supplies:
  - _ Scissors
  - _ Tape (masking, transparent)
  - _ Thumbtacks
  - _ Public information materials (fact sheets, etc.)

- _ Prepare meeting agenda
- _ Determine hearing participants/speakers

  ____

  ____

  ____

  ____

- _ Prepare opening comments for hearing officer
- _ Arrange contingency planning, decide what to do if:
  - C more people show up than capacity
  - C the crowd becomes disruptive
- _ Coordinate with public involvement coordinator on notification of the media
- _ Set date and time for debriefing following the hearing

Availability Sessions/Open Houses

Regulatory Requirements

None. (In some cases, an availability session or an open house may fulfill the pre-application meeting requirement under § 124.31, as long as the meeting achieves the standards of that section. See “The Pre-Application Meeting” in Chapter 3 for more detail.)

Description of Activity

Availability sessions/open houses are informal meetings in a public location where people can talk to involved officials on a one-to-one basis. The meetings allow citizens to ask questions and express their concerns directly to project staff. This type of gathering is helpful in accommodating individual schedules.

Availability sessions and open houses can be set up to allow citizens to talk with representatives from all interested organizations. Citizens can find out more about all sides of a permitting issue through conversations with agency officials, facility staff, and representatives of involved interest groups and civic organizations.

Level of Effort

An availability session/open house may take two to three days to plan and conduct. Allow sufficient time to select a date, time, and location for the meeting, plan for the session, prepare supporting materials, and meet with and brief your staff who will attend the meeting. You should plan for about five hours for the actual session.

How to Conduct the Activity

To conduct an availability session/open house:

1. **Select a date, time, and location for the availability session/open house that encourages attendance.** Evening hours usually are preferable. The location should be in an easily accessible building familiar to residents (such as a public library, school, or local meeting room).

2. **Anticipate the number of attenders and plan accordingly.** If a large number of people is expected, consider the possibility of holding two availability session/open houses to enable staff to meet and talk with each attender. Alternatively, you can increase the number of staff or the length of the availability session/open house. As a general rule, planning for one staff member per 15-20 attenders should foster an informal atmosphere for conversation, and thereby avoid the situation where a staff member has to speak to a "crowd."

3. **Develop or gather together appropriate explanatory materials.** These materials may include poster boards, handouts, or fact sheets.

4. **Publicize the availability session/open house at least two weeks ahead of time, if possible.** Send announcements to newspapers, television and radio stations, citizens on the mailing list, and any interested community organizations that publish newsletters.

5. **Ensure that appropriate staff attend,** so that citizens can meet those who will be responsible for facility activities. The staff present should be able to answer both technical and policy questions.

6. **Meet with and brief staff and rehearse for the session.** Anticipate questions that may be asked during the session and prepare answers.

When to Use

An availability session/open house is most appropriate:

- When scheduling of meetings is difficult because of community members' schedules;
- When new information is available on several different technical or regulatory issues that would make explaining it in its entirety would be too long for a more formal meeting;
- When community members have widely varying interests or levels of knowledge;
- When an informal setting is appropriate to enhance your credibility with the community;
- When staff is available;
- When larger crowds will make it difficult for certain members of the public to raise questions; and
- In some cases, to fulfill the pre-application meeting requirements in § 124.31 (see "Regulatory Requirements" above in this section).

Accompanying Activities

Exhibits and **fact sheets** can provide background information that enables citizens to ask more informed questions about the facility during the availability session/open house.

Advantages and Limitations

The one-to-one conversations during an availability session/open house can help build trust and establish a rapport between citizens and project staff. An informal, neutral setting will keep officials and the public relaxed and make communications smoother. Citizens can find out more about all viewpoints concerning a permitting action if public interest groups, civic organizations, agency officials, and facility staff are present at the session.

Planning and conducting an availability session/open house can require a significant amount of staff time. A low turnout may not justify the effort. Hence, community interest in the site should be significant before an availability session/open house is planned.

Checklist for Availability Sessions/Open Houses

(* If you are conducting this activity to fulfill the requirements of § 124.31, the activity must meet the standards of that section. See Chapter 3 for more information).

(As appropriate):

- __ Determine location(s) for meeting (complete for each available facility)
  - __ Facility name, location ________________________
  - __ Contact person at facility________________________
  - __ Phone number________________________
  - __ Occupancy size________________________
  - __ Handicap accessibility________________________
  - __ Features:
    - __ Restrooms
    - __ Public telephones
    - __ Adequate parking
- __ Determine date, time of meeting:

  Date: ____

  Time: ____
- __ Prepare draft notice (public notice, flier)
- __ Coordinate internal review of notice
- __ Prepare final notice
- __ Determine what officials will attend availability session/open house
- __ If applicable, coordinate with other organizations that will be available at the session
- __ Notify citizens of availability session/open house
  - __ Direct mailing to citizens on facility mailing list
  - __ Verify that mailing list is up-to-date
  - __ Request mailing labels
  - __ Public notice in local newspaper(s)
- __ Prepare handouts, other informational material for availability session/open house

Workshops

Regulatory Requirements

None.

Description of Activity

Workshops are seminars or gatherings of small groups of people (usually between 10 and 30), led by a small number of specialists with technical expertise in a specific area. In workshops, participants typically discuss hazardous waste issues where citizens comment on proposed response actions and receive information on the technical issues associated with the permitting process and the RCRA program in general. Experts may be invited to explain the problems associated with releases of hazardous substances and possible remedies for these problems. Workshops may help to improve public understanding of permit conditions or hazardous waste problems at a facility and to prevent or correct misconceptions. Workshops also may identify citizen concerns and encourage public input.

Level of Effort

A one-day workshop may take about three days to a week to plan and execute. Another day will probably be required to follow up on any issues that arise during the workshop.

How to Conduct the Activity

To conduct a workshop:

1. **Determine the focus of the workshop.** Decide what topic or topics will be covered in either one or more workshops. Suggested topics include: purpose of RCRA; description of the permit process or corrective action program; proposed remedies; risk assessment; identified health or environmental problems; and/or method and format for receiving citizen comments on the proposed or ongoing actions. Determine what staff will be needed at each workshop and whether any outside experts will be needed.

2. **Plan the workshop.** Decide ahead of time on a minimum and maximum number of participants. If there are too few, consider holding an informal meeting and postpone the workshop until additional interest develops. Identify a convenient location and time for the workshop, and set a date that does not conflict with other important meetings or interests (for example, town council meetings, high school sporting events).

3. **Announce the workshop** by publishing a notice well in advance (at least 3 weeks) in the local newspapers. Send a notice of workshops with mailings to all citizens on the facility mailing list and distribute posters around town. Send out invitations and registration forms to

concerned citizens. Provide for multiple registrations on each form to accommodate friends who also might be interested in the workshop. Emphasize that the number of participants is limited, and provide a deadline for registration.

When to Use

Workshops are appropriate:

- When the RCRA process needs to be explained to community members interested in participating in the process;
- When specific topics needs to be discussed in detail, especially health or risk assessment issues; and
- When technical material needs to be explained and feedback from the community is important to make sure that citizens understand the material.

Accompanying Activities

Workshops can be conducted before formal **public hearings** or during **public comment periods** to give citizens some ideas on developing and presenting testimony. **Fact sheets** and **exhibits** can complement the workshop.

Advantages and Limitations

Workshops provide more information to the public than is possible through fact sheets or other written materials. Workshops have proven successful in familiarizing citizens with key technical terms and concepts before a formal public meeting. Workshops also allow two-way communication, making them particularly good for reaching opinion leaders, interest group leaders, and the affected public.

If only a limited number are held, workshops can reach only a small segment of the affected population.

When planning a workshop, you should make sure that it is announced in local newspapers, to help ensure that it will be well-attended. In addition, it may be helpful to specifically invite all residents who have expressed an interest in the site.

Checklist for Workshops

(As appropriate):

- __ Determine purpose of workshop ______________________
    - __ Determine number of attenders ______________________
- __ Plan the workshop
    - __ Identify topics to be presented
    - __ Identify agency officials to present topics, handle registration
    - __ Prepare handouts, other informational materials
- __ Determine location(s) for workshop (complete for each available facility)
    - __ Facility name, location ______________________
    - __ Contact person at facility ______________________
    - __ Phone number ______________________
    - __ Occupancy size ______________________
    - __ Handicap accessibility ______________________
    - __ Features:
        - __ Restrooms
        - __ Public telephones
        - __ Adequate parking
- __ Determine date, time of workshop:

    Date: ______________________

    Time: ______________________
- __ Prepare draft notice announcing workshop (public notice, flier)
- __ Coordinate internal review of notice
- __ Prepare final notice

Checklist for Workshops (continued)

_ Notify citizens of workshop

  _ Direct mailing to citizens on facility mailing list

  _ Verify that mailing list is up-to-date

  _ Request mailing labels

  _ Public notice in local newspaper(s)

_ Determine presentation requirements

  _ Electrical outlets

  _ Extension cords

  _ Accessible lighting control panel

  _ Window covers

  _ Podium

  _ Stage

  _ Table(s) and chairs for panel

  _ Water pitcher and glasses

  _ Sound system

  _ Microphones (stand, tabletop, lavaliere)

  _ Cables

  _ Speakers

  _ Technician/engineers available for hearing

  _ Visual aids

  _ Slides

  _ Slide projector

Checklist for Workshops (continued)

- _ Extra projector bulbs
- _ Flip chart
- _ Flip chart markers
- _ Overhead transparencies
- _ Overhead machine
- _ VCR and monitor
- _ Screen
- _ Table for projection equipment
- _ Registration table
- _ Registration cards
- _ Writing pens
- _ Signs
- _ Miscellaneous supplies:
- _ Scissors
- _ Tape (masking, transparent)
- _ Thumbtacks
- _ Public information materials (fact sheets, etc.)

_ Arrange and conduct at least one rehearsal

Attending Other Stakeholder Meetings and Functions

Regulatory Requirements

None. (The permitting agency may need to attend public meetings held by the permittee under § 270.42 in order to respond to public comments on the modification request. Agencies may also want to attend the applicant's pre-application meeting held under § 124.31. See the section on the "Pre-Application meeting" in Chapter 3 for more detail.)

Description of Activity

Permitting agencies, facilities, local governments, environmental organizations, religious and civic groups may all hold meetings or other gatherings during the permitting process. Some may be required by regulation and others may be informational meetings or discussions of important issues. As an involved stakeholder, you can learn more about the views of other stakeholders by attending their meetings. You can join in important discussions and provide information. Some groups may invite you to give a **presentation** or a **briefing**.

Level of Effort

The time you commit to attending other stakeholder meetings or functions will depend on the level of your participation. Meetings can vary in length; your resource commitment will be more substantial if you agree to give a **briefing** or a **presentation** (see those sections of this chapter for more information). You will need a few hours to prepare notes for your file after the meeting.

How to Conduct the Activity

If you decide to attend a meeting, you may want to inform the host organization that you plan to attend the meeting. If you choose to identify yourself at the meeting, be prepared to answer questions. You may want to bring fact sheets or other information you can provide upon request. In any case, be prepared to listen to the discussion and prepare notes for your files.

The host organization may ask you to provide a **briefing** or a **presentation**. See those sections of this chapter for more information.

When to Use

You may want to attend other stakeholders' meetings when the meetings are open and you want to learn more about the views held by other stakeholders. In some cases, a group may invite your organization to attend a meeting to provide input or answer questions. In such cases, you should be prepared to answer questions or present the views of your organization.

If appropriate, you may want to make **fact sheets** available upon request at the meeting. Provide the name of a **contact person**. If you are representing the permitting agency, let participants know about how to put their names on the facility **mailing list**.

Accompanying Activities

Advantages and Limitations

Attending meetings or functions held by other stakeholders can provide useful insight to other opinions and concerns. This information can help you plan other public participation events and complement data you gather from community interviews.

This activity should not be used in place of informal meetings or other activities that may be more appropriate. If your attendance has the potential to cause problems, make sure to contact the host before the meeting.

Citizen Advisory Groups

Regulatory Requirements

None.

Description of Activity

A Citizen Advisory Group (CAG) provides a public forum for representatives of diverse community interests to present and discuss their needs and concerns with government and/or the facility. Although CAGs may come in many different forms and have different responsibilities and roles, they are generally composed of a board of stakeholders that meets routinely to discuss issues involving a particular facility. The purpose of a CAG is usually to advise a facility owner/operator or the permitting agency on permitting or corrective action activities.

CAGs can be a good way to increase active community participation in environmental decision-making and provide a voice for affected community members and groups. They promote direct, two-way communication among the community, the permitting agency, and the facility.

The make-up and mission of a CAG may vary -- there is no set formula governing the make-up or responsibilities of the group. The best type of CAG to use will depend on the situation. For instance, a citizen organization may create a CAG of affected community members to provide an official voice from the community. Facility owner/operators may create a CAG of affected community members to provide informal or formal advice. A permitting agency may form a CAG that includes stakeholders from the facility, the community, and the agency.

In establishing a CAG, it is important to bear in mind that the size of a group can often have an impact on its effectiveness -- for example, too large of a group can inhibit how efficiently it can work and come to consensus on issues, and too small of a group may not be adequate to represent diverse community concerns.

Forming a CAG does not necessarily mean that there will be universal agreement about permitting or corrective action issues. Nor does having a CAG mean there will be no controversy during the process. However, when decisions made by the facility or the permitting agency differ from the stated preferences of a CAG, the facility or the agency should accept the responsibility of explaining its decision to CAG members.

RCRA regulations do not require the use of advisory groups; however, EPA regulations do contain standards for advisory groups if EPA decides to require them under 40 CFR. These standards are located in 40 CFR 25.7.

Although these standards may not apply to all types of advisory groups used in conjunction with RCRA permitting, they provide useful guidance for agencies, facilities, and public interest groups who may want to use advisory groups. A copy of the part 25 regulations is available Appendix F.

EPA's Office of Emergency and Remedial Response has issued guidance on the use of CAGs at Superfund sites (see Appendix E). Although there are many differences between the Superfund and RCRA programs (most notably that Superfund often deals with abandoned sites while RCRA typically deals with existing or potential facilities), a large part of the Superfund CAG guidance discusses CAG development, membership, and training that may be applicable to some RCRA CAGs. Superfund terminology and process aside, the guidance contains some very useful, concise advice on various aspects of CAGs.

Although CAGs are a useful tool in many situations, they may not always be appropriate. See the section "When to Use" below for a list of factors you should consider before forming a CAG.

Level of Effort

CAGs can be a time-consuming and expensive endeavor. Membership selection, meeting preparation and follow-up, information dissemination, and training all take a lot of resources. Unlike the Superfund program, agencies that implement RCRA cannot provide Technical Assistance Grants (TAGs) to help defray the costs of CAGs.

How to Conduct the Activity

See EPA's *Guidance for Community Advisory Groups at Superfund Sites* and 40 CFR § 25.7 (in Appendices E and F) for information on how to set up CAGs. Keep in mind that CAGs under the RCRA program will differ from CAGs under Superfund. You may want to obtain a copy of the reference list of public participation and risk communication literature (available through the RCRA Hotline or the RCRA Information Center in Docket Number F-95-PPCF-FFFFF) to look for additional information sources on this topic.

When to Use

A CAG can be formed at any point in the permitting or corrective action process, and may be most effective in the early stages. Generally, the earlier a CAG is formed, the more members can participate in and impact decision-making.

CAGs may not be appropriate in every situation. If you are considering use of a CAG, you should consider the following factors:

- the level of community interest and concern;
- community interest in forming a CAG;
- the existence of groups with competing agendas in the community;

- environmental justice issues or concerns regarding the facility;
- the history of community involvement with the facility, or with environmental issues in general; and
- the working relationship between the facility, the community, and the permitting agency.

Accompanying Activities

Depending on the make-up and the purpose of the CAG, you may want to provide **public notice**, hold a **public meeting**, and issue a **news release** before forming the CAG. The CAG may choose to provide public participation activities (such as **meetings**, **newsletters**, or **availability sessions**) as part of its mission.

Advantages and Limitations

CAGs can increase active community participation in environmental decision-making and provide a voice for affected community members and groups. They promote direct, two-way communication among the community, the permitting agency, and the facility and can highlight your organization's commitment to inclusive stakeholder input.

CAGs can be time- and resource-intensive. CAGs that do not accurately reflect or account for public concerns may lose support in the community. In addition, uncertainty about the group's charter may cause conflict and hard feelings. If you plan to use a CAG, the mission and responsibilities of the CAG must be made clear from the start. Finally, CAGs can spend so much time agreeing on procedures that they drive away people who are concerned with substance. The need for elaborate procedures can be sharply reduced if an advisory group agrees to work on a consensus basis rather than by majority vote.